

RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND
IN THE
CITY OF NORTHAMPTON, MASSACHUSETTS

(Adopted under the Subdivision Control Law
Sections 81-K to 81-GG inclusive, Chapter 41, G.L.)

These Rules and Regulations and all amendments are effective on the date adopted by the Planning Board (see below). A copy of these Rules and Regulations as adopted by the Planning Board and certified by the City Clerk shall be recorded with both the Registrar of Deeds of Hampshire County and the Recorder of the Land Court.

Adopted January 21, 1954

Adopted November 13, 1986 (rewrite of previous subdivision regulations)

Amended August 28, 1989

Amended December 14, 1989

Amended April 26, 1990

Amended April 11, 1991

Amended August 13, 1992 (§4:02, 4:03, 6:03, 10:06, 10:07, & 10:08)

Amended December 11, 1997 (§4:02, 4:03, 6:03, 10:07, 10:06, 10:08, Form A)

Amended August 12, 1999 (§5:04, §7:01, §10:06, Form A)

Amended July 27, 2000 (§3:01, 4:02, 4:03, 6:03, 6:04, 6:06, 8:14, 8:18, 10:05, 10:06, 10:07, Form A)

Amended April 26, 2001 (§5:02, 5:03, 6:02, 10:05)

Amended June 26, 2003 (§2:00, 3:01, 3:02, 4:02, 4:03, 5:02, 5:03, 5:04, 6:01, 6:02, 6:03, 6:04, 6:06, 6:07, 6:08, 6:09, 7:00 to end of document)

Amended January 8, 2004 (§7:07, 7:14, 7:24, & 7:25)

Amended April 14, 2005 (§6:04, 7:01(5), and cross references and section renumberings)

Amended May 12, 2005 (§5:03 and 8:05)

Prepared for the Planning Board by the Office of Planning and Development
Subdivision rules are available at www.northamptonplanning.org

SECTION 1:00 TITLE, PURPOSE AND AUTHORITY

§1:01 Title

These rules and regulations of the Northampton Planning Board shall be known and may be cited as the "Rules and Regulations Governing the Subdivision of Land, City of Northampton, Massachusetts", which herein are called "Rules and Regulations".

§1:02 Purpose

The Rules and Regulations governing the subdivision of land, City of Northampton, Massachusetts, have been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of Northampton by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions, and in proper cases, parks and open areas. The powers of the Planning Board and the Board of Appeals under these Rules and Regulations shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic, and other emergencies; for ensuring compliance with the Northampton Zoning Ordinance; for securing adequate provision for water, sewerage, drainage, underground utility services, fire, police, street lighting, and other similar municipal equipment, and other requirements where necessary in a subdivision; and for coordinating the ways in a subdivision with each other and with the public ways in the City and with the ways in neighboring subdivisions.

It is the intent of these Rules and Regulations that any subdivision plan filed with the Planning Board shall receive the approval of such Board if said plan conforms to the recommendation of the Board of Health and to these Rules and Regulations; provided, however, that the Planning Board may, when appropriate, waive, as provided for in Section 3:02, such portions of these Rules and Regulations as is deemed advisable.

§1:03 Authority

Under the authority vested in the Planning Board of the City of Northampton by Section 81-Q of Chapter 41 of the General Laws of Massachusetts, said Board hereby adopts these amended Rules and Regulations governing the subdivision of land in the City of Northampton.

SECTION 2:00 DEFINITIONS

For the purpose of these Rules and Regulations, unless a contrary intention clearly appears, the terms and words defined in the Subdivision Control Law shall have the meaning given therein. The following terms and words shall have the following meanings:

Applicant: Either the owner of the land stated in the application for subdivision or all the owners where title is held jointly, in common, or in tenancy by the entirety, including corporations. An agent, representative, or assignees may act for an owner, provided written evidence of such fact is submitted. Evidence in the form of a list of their officers and designated authority to sign legal documents shall be required for a corporation.

Board: The Planning Board of the City of Northampton.

Certified by (or Endorsed by) a Planning Board: As applied to a plan or other instrument required or authorized by the Subdivision Control Law to be recorded shall mean bearing a certification or endorsement signed by a majority of the members of the Planning Board or any other person authorized by the Planning Board to certify or endorse its approval or other action and named in a written statement to the Register of Deeds and Recorder of the Land Court, signed by a majority of the Planning Board.

City Engineer: The City Engineer of Northampton or designee.

Collector Street: A street which receives and distributes traffic from and to various sub-areas within a given region, and receives traffic from a given residential neighborhood or industrial area and carries it to an arterial highway. These roads run through developed areas or connect concentrations of development and carry significant volumes (Average Daily Traffic (ADT) ranges typically 1,500 to 3,500).(Amended April 11, 1991)

Digital CAD File Standards: When these are required, the following format is required:

1. Information on a HD 3.5" disk or CD-ROM (or format acceptable to the Planning Office)
2. All horizontal and vertical datas must be listed in metric.
3. The plans must document which control points or base stations were used as references.
4. "Model space" must be the source of any DXF or ESRI Shapefiles
5. Line symbols must be continuous
6. Point features must be represented by point primitives
7. Linear features should be represented by polylines
8. Linear features should not be broken by text
9. All polygons should "close"
10. Details, insets, title blocks, and other non-GIS features should be isolated on layers separate from spatial features
11. A data dictionary enumerating and describing the contents of each layer contained in the drawing. The descriptive terms shall not be abbreviated.
12. For all submissions except ANR plans, files must be geo-referenced to their correct state plane coordinates.

Digital Graphic File Standards: When these are required, the following format is required:

1. All files must be in multi-page TIFF or DjVu, and include the entire submittal (plans, forms and all supporting material) in multi-page TIFF or DjVu formats.
2. For definitive plan submittals, those sections consisting of a majority of text shall be optical character recognition (OCR) ready.

(digital standards amended 6/26/2003)

Engineer: Any person who is registered or otherwise legally authorized by the State of Massachusetts to perform professional civil engineering services.

Limited Access Road: Road with the sole purpose of carrying through traffic and provide no direct access to

abutting properties. **(Amended April 11, 1991)**

Local Street: A street (having an ADT not to exceed 1500) which primarily provides access to and serves adjacent land uses.
(Amended August 28, 1989)

Major Street: A street having the primary purpose of carrying through traffic and the secondary purpose of providing access to abutting property. **(Amended April 11, 1991)**

Owner: The owner of record as shown by the records in the Hampshire County Registry of Deeds or Land Court.

Plan, Definitive: A proposed, detailed plan of a subdivision submitted by the applicant to be recorded in the Registry of Deeds or Land Court when approved by the Planning Board.

Plan, Preliminary: A plan of a subdivision submitted by the applicant showing sufficient information to form a clear basis for discussion and clarification of its general contents and for the preparation of a definitive Plan.

Subdivision: "Subdivision" shall generally mean the division of a tract of land into two or more lots and shall include re-subdivision, and, when appropriate to the context, shall relate to the process of subdivision of the land or territory subdivided. Subdivision and divisions of land that do not constitute a subdivision are further defined in the Massachusetts Subdivision Control Law, MGL c. 41, §81-K to §81-GG inclusive and applicable case law.
(Amended April 11, 1991)

Subdivision Control Law: Sections 81-K to 81-GG, inclusive, of Chapter 41, of the General Laws of the Commonwealth of Massachusetts, entitled "Subdivision Control", as last amended.

Subdivision, Type I: A subdivision for residential purposes. **(Amended April 11, 1991)**

Subdivision, Type II: A subdivision for business or industrial purposes. **(Amended April 11, 1991)**

Surveyor: Any person who is registered or otherwise legally authorized by the State of Massachusetts to perform land surveying services.

Way: A right-of-way or means of access to a lot. A public way is a way which has been accepted by, and the land owned by, the City of Northampton or by other means created as a public street. Any other way (private way) is a way over land which is owned by a private party, but which is set forth by deed covenant, deed description, or other means as a private way.

SECTION 3:00 GENERAL

§3:01 Waiver of Compliance

The Planning Board may, in special and appropriate cases, waive strict compliance with such portions of these Rules and Regulations, as provided for in Section 81-R, Chapter 41, of the General Laws, where such action is in the public interest and not inconsistent with the purpose and intent of the Subdivision Control Law.

Limited waivers may be granted when appropriate to encourage development which is in keeping with the character of traditional neighborhood development design, similar to that of Northampton pre-world war II development and outlined in the "Traditional Neighborhood Development" publication by ITE and to encourage a permanent pool of affordable housing.

A request for a waiver of a requirement, rule, or regulation shall be made in writing by the applicant, and submitted, whenever feasible, with the submission of the Preliminary Plan.

If the Planning Board approves the request for a waiver, it shall endorse conditions of such waiver (if any) on the plan or set them forth in a separate instrument attached to and referenced to the plan, which shall be deemed a part of the plan. The Planning Board shall notify the applicant in writing of its approval, disapproval, or approval with conditions. (Amended 6/26/2003)

§3:02 Amendments

These Rules and Regulations or any portion thereof may be amended from time to time in accordance with Section 81-Q of the Subdivision Control Law.

§3:03 Validity

The invalidity of any section, paragraph, clause or provision of these Rules and Regulations shall not invalidate any other section, paragraph, clause or provision therein.

§3:04 Coordination with Municipal Departments and Other Agencies

In the City of Northampton certain services are provided to subdivisions under the jurisdiction of various City departments and other quasi-public agencies. Compliance with the applicable regulations and requirements of these agencies and departments shall be required before a plan is approved by the Planning Board, and certification of performance relative to the proper construction and installation of respective utilities shall be required before the performance guarantee can be reduced or released.

§3:05 Forming a Subdivision

No person shall make a subdivision within the meaning of the Subdivision Control Law of any land within the City, or proceed with the improvement or sale of lots in a subdivision, or the construction of ways, or the installation of municipal services therein, unless and until a definitive plan of such subdivision has been submitted to, approved and endorsed by, the Planning Board as hereinafter provided, and recorded at the Hampshire County Registry of Deeds.

§3:06 Effect of Prior Recording of Subdivision of Land

The recording of a plan of land within the City in the Registry of Deeds of Hampshire County prior to the effective date of the Subdivision Control Law in the City of Northampton, showing the division thereof into existing or proposed lots, sites or other divisions and ways furnishing access thereto, shall not exempt such land from the application and operation of these Rules and Regulations, except as specifically exempt by Section 81-FF of the Subdivision Control Law.

§3:07 Compliance with Zoning Ordinance

No plan of a subdivision shall be approved unless all of the building lots shown on the plan comply with the Zoning Ordinance of the City of Northampton, Massachusetts. (See also §6:01.)

§3:08 Requirements for More Stringent Standards

The Planning Board may, in special and appropriate cases, require the developer to follow more stringent standards than the ones mentioned in these Rules and Regulations. In doing so, the Planning Board shall notify the developer in writing of said standards and the reason they are required.

**SECTION 4:00 PROCEDURE FOR SUBMISSION AND ENDORSEMENT OF NON-SUBDIVISION
PLANS (PLANS BELIEVED NOT TO REQUIRE APPROVAL)**

§4:01 General

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land in the City of Northampton, who believes that his plan does not require approval under the Subdivision Control Law, may submit his plan as hereinafter provided, to the Planning Board for such determination.

§4:02 Submissions

The applicant shall submit to the Planning Board a mylar and seven (7) prints of the plans accompanied by seven (7) copies of a completed application Form A (see Appendix A) and the appropriate fee (§10.06), together with any necessary evidence to show that the plan does not require approval. Each copy of the plan must be folded to no larger than 12" by 12" and attached to the Form A application.

The applicant may submit a non-subdivision plan to the Planning Board, either by hand delivery or by registered mail, postage prepaid, first to the City Clerk (for date stamping) and then (minus one copy held by the City Clerk) to the Office of Planning and Development, stating the date of submission for such determination.

Receipt by the City Clerk and the Office of Planning and Development of such notice, plans and necessary documentation as may be required in these Rules and Regulations shall constitute the effective date of submission. (Amended 6/26/2003)

§4:03 Massachusetts State Plane Coordinate System control

1. If any portion of a plan falls within 150 meters of a published control point shown on the most recent version of a plan available in the Office of Planning and Development entitled "City of Northampton, Control Points," or current documentation provided by the Northampton Department of Public Works the plan must have at least four survey-quality (centimeter, or its English equivalent, accuracy) points on each sheet tied into the Massachusetts State Plane Coordinate System (NAD 1983 datum and NAVD 1988 data, using said published control points or the global positioning system. The plan must note the metric coordinates of the four tie-in points, the datum, and the source and location of monuments used for data.
2. All plans must be accompanied digital CAD file (see definitions) Plans shall show all buildings owned by Form A subject landowner(s) within 100' of any newly created property lines.

(amended 6/16/2003)

SECTION 5:00 PROCEDURES FOR THE SUBMISSION OF PRELIMINARY PLANS

§5:01 General

A Preliminary Plan of a residential subdivision may be submitted by the applicant to the Board of Health and to the Planning Board for discussion and approval by the Planning Board. Preliminary Plans are required for non-residential subdivisions and must be submitted by the applicant to the Board of Health and to the Planning Board for discussion and approval by the Planning Board. The submission of such a Preliminary Plan will enable the subdivider, the Planning Board and other municipal agencies to discuss and clarify the problems of such subdivision before a Definitive Plan is prepared. The degree of review and effectiveness of a Planning Board's comments shall be in direct proportion to the accuracy and amount of information provided by the applicant on the Preliminary Plan. (Amended April 11, 1991)

The centerline of the proposed roadway and all property lot lines shall be adequately and accurately staked or flagged on the site sufficient for identification by the Planning Board members and town officials when site visits are made. (Amended August 28, 1989)

§5:02 Submission

The plan, accompanying forms, documentation, and the applicable fee, shall be submitted by hand delivery or registered mail first to the City Clerk (for date stamping) and then (minus one held by the City Clerk) to the Office of Planning and Development.

The applicant shall submit sixteen (16) prints (dark line on white background) of the Preliminary Plan, seven (7) additional copies of the preliminary plan page showing wetlands (these additional copies may be 11" by 17" reduced scale copies) and sixteen (16) copies of Form B (see Appendix A) to the City Clerk and the Office of Planning and Development, together with all other information and documentation, as required in these Rules and Regulations. Each copy of the plan must be folded to no larger than 12" by 12" and attached to a copy of the Form B application and associated supporting material. The Planning Board shall file prints with the Board of Health, the Fire Department, the Conservation Commission, and Department of Public Works. The Planning Board may decide to forward said plans to other City agencies and/or departments for their review. All plans must be accompanied by a digital graphic file (see definitions) (Amended 6/26/2003)

§5:03 Contents

For residential subdivisions, when a developer is not proposing an Open Space Residential Development (Cluster), then the Preliminary Plan submission shall include at least three (3) alternative concepts for developing the parcel(s). Said alternative concepts shall include at least:

1. one concept showing the parcel developed in accordance with the Open Space Residential Development requirements of §10.5 of the Northampton Zoning Ordinance,
2. one concept showing the utilization of Flag Lots in accordance with the Flag Lot requirements of §6.13 of the Northampton Zoning Ordinance as an alternative to a standard development.

The Preliminary Plan shall be drawn at a scale of 1" = 100' or greater on 24" by 36" sheets. Said plan shall show sufficient information about the subdivision to form a clear basis for discussion and for the preparation of the Definitive Plan. In addition, the plan shall show at least the following information:

1. The subdivision name, boundaries, true north arrow, date of submission, scale, legend and title "Preliminary Plan".
2. The names and addresses of the owners of record, the applicant and the names, addresses and professional seals of the registered Civil Engineer and Land Surveyor.
3. The names and addresses of all abutters within 200 feet, as determined from the most recent tax list.
4. Existing and proposed lines of street, proposed names of the latter, rights-of-way, easements, and any public or common areas within the subdivision. Purpose of easements shall be indicated.
5. Location, names and present widths of streets bounding, approaching, or within reasonable proximity

- of the subdivision.
6. Location of natural waterways and water bodies on the subdivision parcel(s) and within 200 feet of the subdivision. Should be required to note whether the streams are shown on the USGS as perennial or intermittent unless the CC has already made a determination
 7. Boundary lines of all proposed lots with approximate dimensions and lot areas in square feet.
 8. Location of all structures on and within 100 feet of the proposed subdivision.
 9. The existing and proposed topography at a five (5) foot contour interval or better. Datum must be U.S.G.S. Mean Sea Level. Major site features, such as existing stone walls, fences, buildings, large trees, rock ridges and ledge, swamps, historic features and wooded areas.
 10. Whenever applicable and in a general manner, the proposed and existing storm drainage, sanitary sewer and water systems.
 11. A sketch of the applicant's and other parcels of contiguous un-subdivided land, showing possible or contemplated development and street layout, if applicable.
 12. When multiple sheets are necessary, match lines shall be used and referenced. An index plan graphically indicating the arrangement of said standard (24' x 36") sheets at a suitable scale shall be provided.
 13. During a discussion of the Preliminary Plan, the complete information required by the Definitive Plan, Section 6:00, may be developed.
 14. A locus or location plan(s) at 1"=500' or greater showing the subdivision on an orthophoto base and its location to the surrounding roadways and physical features and drainage boundaries for watersheds & streams. The plan shall show the ownership and house number of all surrounding parcels of land.
 15. The applicant shall request, in writing to the Planning Board, any proposed waivers of a requirement, rule or regulation he/she/they may require.
 16. Location of all future/potential roads
- (Amended 6/26/2003, line 14 amended 5/12/2005)

5:04 Action by Planning Board

After submission, the Preliminary Plan will be reviewed by the Planning Board, Board of Health, Chief of the Fire Department, Conservation Commission, the DPW Director and other municipal agencies and departments to determine whether it is in compliance with the design standards as set forth in these Rules and Regulations and with any additional requirements of the above-mentioned Boards, municipal agencies and departments.

Within fifteen (15) days after the date of submission, the Board of Health, the Chief of the Fire Department, Conservation Commission, DPW Director and other municipal agencies and departments shall notify the Planning Board of their respective approval or disapproval of the Preliminary Plan, and if disapproved, shall list their reasons in writing.

Within forty-five (45) days after submission of the Preliminary Plan, the Planning Board shall approve, or approve with modifications, or disapprove said Preliminary Plan, and in the case of disapproval, the Board shall state in detail the reasons for its disapproval.

The Planning Board shall file its decision with the City Clerk, and shall send a copy of said decision to the applicant.

Approval of the Preliminary Plan by the Planning Board does not constitute approval of a subdivision, but does facilitate the procedure in securing approval of the Definitive Plan. In addition, such approval does not in any way authorize the owner to proceed with construction of roadways and/or other work in the subdivision. (Amended December 14, 1989 and August 12, 1999)

The Planning Board will not approve plans until issues relating to road layout, road alignment, intersections with existing streets, vehicular and non-vehicular connections to adjoining properties, and general project issues have been satisfactorily addressed. Other strictly engineering issues, such as detailed drainage, water and sewer engineering, may be addressed at the definitive stage. If the applicant does not provide engineering analysis at the preliminary stage, however, the Planning Board will not be able to provide feedback and any approval is based on the applicant being able to satisfactorily address these issues, at the Definitive Plan stage.

SECTION 6:00 PROCEDURES FOR THE SUBMISSION OF DEFINITIVE PLANS

6:01 General

A Definitive Plan of a subdivision must be submitted to the Planning Board. Said plan shall be governed by the Subdivision Regulations in effect at the time of submission of such plan, or in effect at the time of submission of a Preliminary Plan, provided that a Definitive Plan evolved there from shall have been submitted to the Planning Board within seven (7) months from the date of submission of the Preliminary Plan.

A Definitive Plan shall also be governed by the zoning in effect at the time of submission of such plan or at the time of submission of a Preliminary Plan from which a Definitive Plan is evolved, in accordance with the appropriate provisions of Chapter 40A of the Generals Laws, as amended.

6:02 Submission

The plan, accompanying forms, documentation and the applicable fee, shall be submitted by hand delivery or registered mail first to the City Clerk (for date stamping) and then (minus one copy held by the City Clerk) to the Office of Planning and Development. In addition, written notice (Form C, Appendix A) shall be filed by delivery or registered mail with the City Clerk stating the date of submission of the plan. The City Clerk shall give a written receipt, if requested, to the person who delivered such notice. (Amended 4/11/91)

The full submission shall consist of:

1. Sixteen copies of the properly executed application (see Appendix A, Form C).
2. Sixteen (16) prints (dark line on white background) of the Definitive Plan (including all plans, maps and cross sections, and documents required in Sections 6:03 and 6:04), together with all other information and documentation, as required in these Rules and Regulations and seven (7) additional copies of the preliminary plan page showing wetlands (these additional copies may be 11" by 17" reduced scale copies). Fold each copy of the plan and attach the Form C application and associated material to each copy. The Planning Board shall file prints with the Board of Health, the Fire Department, the Conservation Commission, and the Department of Public Works. At least one of these prints shall have the significant features illustrated according to the following color scheme:
 - Roads - dark gray;
 - Streams and water-bodies - blue;
 - Wetlands - solid red;
 - One hundred year floodplains - orange;
 - Dedicated Open Space and recreation areas - green;
 - Pedestrian and bicycle paths - brown;
 - Subdivision boundaries - black.
3. The appropriate fee (§8:05).
4. A sketch plan showing a possible prospective street layout for any adjacent un-subdivided land owned or controlled by the owner or applicant of the subdivision and also showing topography, unless such a plan has already been submitted to the Planning Board.
5. All plans must be accompanied by a digital CAD File and a digital graphic file (see definitions). After final approval by the Planning Board a digital CAD file in both model and paper space versions must be submitted to the DPW and Office of Planning and Development.

6:03 Contents of Plan

The Definitive Plan shall bear the seal of a Massachusetts Registered Land Surveyor and a Registered Professional Engineer. The plan shall be at a scale of one (1) inch equals forty (40) feet, unless otherwise specified by the Planning Board, and of a sheet size 24 inches by 36 inches outside dimensions. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision, and all plans, layouts, profiles, cross sections and application shall be deemed to constitute the Definitive Plan. The Definitive Plan shall contain the following information:

1. A single location plan of the subdivision, showing the proposed lot lines, the right-of-way lines of all proposed streets in the subdivision and their location in relation to one or more existing streets or portions thereof. An inset at a scale of 1" = 1,200' shall be included on the location plan showing the location of the subdivision within the City.
2. The subdivision name, boundaries, the coordinate north arrow, date, scale, legend and title, "Definitive Plan".
3. The names of owners of record, the applicant and the Registered Land Surveyor and Registered Professional Engineer, and official seals. Certification by the Surveyor that all surveying conforms to the technical standards for property surveyors of the American Congress on Surveying and Mapping shall appear on the plan.
4. Names, addresses and plan location of all abutters indicating limits of contiguous boundaries (within 200 feet of the boundary of the subdivision) and those owners of land separated from the subdivision only by a street.
5. Existing and proposed lines of streets, lots, rights-of-way, easements, and any public or common areas within the subdivision. (The proposed names of proposed streets shall be shown in pencil until they have been approved by the Planning Board.) Purpose of easement shall be indicated.
6. Location, names and present widths of streets bounding, approaching, or within reasonable proximity of the subdivision.
7. Location of wetlands, perennial and intermittent streams, vernal pools, vernal pool upland habitat areas, waterways and water bodies within and adjacent to the subdivision.
8. Major site features, such as existing stone walls, fences, buildings, large trees, rock ridges and ledge, swamps, flood plains, historic features, and wooded areas on and within 100 feet of the proposed subdivision. The plan shall identify which of the above shall remain undisturbed.
9. Sufficient data, including lengths, bearings, and curve data to determine the exact location, direction and length of every street and way line, lot line and boundary line, and to establish these lines on the ground. All surveys must tie to the Massachusetts State Plane coordinate System (NAD 1983 Datum), using said published control points or the global positioning system.
10. Location of all permanent monuments and control points identified as to whether existing or proposed, and identified according to the Massachusetts State Plane coordinate system (NAD 1983 Datum). At least two permanent concrete or granite monuments must be placed on site and shown in the plans prior to construction. Bounds are required at all intersections of street lines, angle points and changes of curvature of street lines. All control points shall be tied to and employ NAVD 1988 AND the Massachusetts State Plane Coordinate System (NAD 1983 Horizontal Datum), with horizontal control using said published control points or the global positioning system (with horizontal coordinates provided in metric). Vertical benchmarks separate from horizontal control points may be provided, provided these points are also tied to permanent concrete or granite monuments.
11. Boundary lines, areas in square feet, and dimensions of all proposed lots, with all lots designated numerically and in sequence.
12. Suitable space to record the action of the Planning Board and the signatures of the members of the Planning Board on each sheet of the Definitive Plan and reference to separate certificate by City Clerk. The remaining items shall be submitted on separate sheets.
13. Existing and proposed topography (sufficiently differentiated) with two (2) foot contour intervals for the entire parcel, unless the Planning Board agrees that the natural surface of the ground may be adequately represented by contours with larger intervals or by figures of elevation. (The existing and proposed topographical information presented shall be sufficient to define the grading of each proposed lot and street.) Datum to be NAVD 1988 or later.
14. Where a storm drainage line, or any type of drainage structure discharges within 200 feet of a brook, stream, or drainage area, a profile will be shown of the brook, stream, or drainage area to determine condition, and proposed method of stabilization.
15. A street layout plan on a separate 24" x 36" sheet, horizontal scale 1" = 40', for each street in the

subdivision showing exterior lines, roadway lines, partial lot lines, curb lines, intersection angles, points of tangency, and radii of curves. Also included on the street layout plan shall be location, size, type of construction, elevations and invert, whenever applicable, of all pipes and conduits of the:

- a. Water Supply System, including pumps, valves, stubs, gates, hydrants, and similar equipment;
 - b. Storm Drainage System, including manholes, pipes, culverts, catch basins, detention ponds, and appurtenant structures;
 - c. Sanitary Sewerage System, including piping, manholes, pumps, community septic tanks, and appurtenant equipment;
16. A Profile Plan on the same sheet located directly below and coordinated with the street layout plan, indicating existing profiles on the exterior and center lines (using light weight lines) and proposed profile on the center line (using heavy weight lines) of each proposed street, at a horizontal scale of 1" = 40' and a vertical scale of 1" = 4'. All elevations shall refer to U.S.G.S. Mean Sea Level datum. Profiles shall show existing and proposed street grades, rates of gradient on percentages, ground and proposed elevations at center line of each fifty (50) foot station, and grades of intersection streets and ways shall be clearly indicated.
 17. The Profile Plan shall show location of existing and proposed water, drainage and sanitary sewer lines, slopes and types (material and class) of all storm and sanitary sewer lines, invert, rim elevations and station of each manhole or catch basin.
 18. A typical cross section for the full width of the proposed right-of-way shall be shown in accordance with the "Street Cross Section" illustrated in §7:01(6) showing foundation material, wearing surface, crown and width of traveled way, curbing, grass strips, sidewalks, utility locations, etc. For a non-typical cross section, see Section 7:01.6.
 19. Construction details for catch basins, manholes, end-walls, head-walls, rip-rap, and energy dissipators, detention ponds, access rows, level lip spreaders, etc.
 20. Proposed layout and design of any and all parks, pools, or similar community improvements, including all water, drainage and electrical layouts, if any, designed to service such community improvements.
 21. Locations of borings shall be shown on the plan with a numbering system corresponding to boring logs which will be submitted as part of the application (see Section 6:04.1).
 22. Any other pertinent information which the Planning Board may request.
 23. Every plan shall have at least four survey-quality (centimeter, or its English equivalent, accuracy) points on each sheet tied into the Massachusetts State Plane Coordinate System (NAD 1983 datum), using said published control points or the global positioning system. The plan must note the coordinates, in metric, of the four tie-in points, the datum, and the source and location of monuments used for data.
 25. A table listing lot numbers with the corresponding lot size and street frontage for every lot.

6:04 Additional Subdivision Submittal Requirements

In addition to the above plans, submission of definitive plans must include the following:

1. Boring Logs. The purpose of borings is to assist the developer and the project's engineer in designing an appropriate roadway and related utilities based on existing water table and subsurface soil conditions (i.e., a clay subsurface might necessitate extra excavation and extra depth for gravel base; a water table near ground surface might necessitate the installation of sub-drains along the edge of the road, etc.). In case of a development located within the limits of the aquifer recharging the City's wells, borings should provide enough information to facilitate the City's determining the development's impact on subsurface water quality. The actual location at which each boring is made shall be shown on the plans. The borings shall be certified by a Massachusetts Professional Engineer. Boring or test pits used for the purpose of design detention facilities must include estimates of high groundwater based on mottles and hydromorphic features, which generally requires test pits witnessed by a qualified soil scientist. Test pits may be used instead of borings except when borings are required for any geotechnical (structural) reasons.
2. Hydrology Study and Drainage Calculation. The applicant shall submit drainage calculations, including rational method and TR-55 or TR-20, showing (a) that any proposed drainage system has been designed according to the standards set forth in these rules; and (b) any impact said drainage system would have on existing drainage systems downstream from the proposed point of discharge.
3. Sanitary Sewer Study. The applicant shall submit calculations showing (a) that any proposed sanitary

sewer system has been designed according to the standards set forth in these rules; and (b) any impact said sanitary system would have on existing sanitary systems downstream from the proposed point of discharge.

4. Water Study. The applicant shall submit a study certified by a professional engineer with demonstrated qualifications as a water consultant, showing that the proposed water system would provide the development with adequate fire flows and demonstrate that each service connection shall have a minimum residual water pressure at street level of 20 PSI under all design conditions of flow. The standard for fire flows will be determined by these regulations and the recommendations of the Insurance Services Office (ISO), the National Fire Protection Association (Fire Protection Handbook), and the (National Fire Code, Vol. 8, §1231, as amended). The standards for residual water pressure and potential impact on the area within 2000 feet of the proposed subdivision are set forth in these regulations. Conclusions of the study shall demonstrate how to mitigate the impacts of the development on the water pressures in the surrounding area.
5. Environmental Impact Analysis. In order to insure the protection of the general public against any possible undesirable impact of the development on natural resources, the developer shall submit an analysis of any such matters of environmental concern, such as preservation of wetlands, surface and ground water quality and air quality. Said analysis shall be conducted by a qualified professional and include a summary table:

	Impacts	Proposed Mitigation
Wetlands and Floodplains		
Open Space and Recreation		
Historical Archeological features		
Fisheries and Wildlife		
Water Pollution		
Water Supplies		

6. Development Impact Statements. The developer shall submit an analysis of the impact of the proposed development by qualified professionals. Each of the sections of said analysis (water, sewer, etc.) shall be presented as a separate document so that it can be forwarded by the Planning Board to the appropriate City department for review. The purpose of said analysis is to assist the City in assessing the cumulative impact of development of the City. Regardless of the above, the Planning Board's decision shall be based on criteria set in these regulations:
 - a. Water and Sewer: Projected generation of sewage based on standards in 314-CMR by the Massachusetts Department of Environmental Protection. Projected consumption of water based on standards in "DESIGN", latest edition, Elwyn E. Seelye. Fire flow standards cited in these regulations. Explain impacts of project on sewerage facilities, public water facilities (including impacts on fire flow requirements), and on private facilities.
 - b. Public Works: Additional costs for future plowing and sanding per lane mile (costs based upon average of past 5 years for DPW). Cost of cleaning annual cleaning services (street sweeping & catch basin cleaning) for the new street. Miles of additional pavement added by the subdivision.
 - c. Municipal services such as public works, police, fire, libraries, recreation,
 - d. Schools; For purposes of future planning, to provide leeway for expected changes in school enrollment the school enrollment impact analysis should utilize the following ratios adjusted to housing type:

Single Family Detached Homes -	.75 children/unit
Single Family Attached Homes (townhouse/rowhouse)-	.5 children/unit
Multi Family Structures (per unit)	.375 children/unit

The standards used in calculating impacts should be carefully documented and fully referenced.

7. Traffic Study: Traffic Analysis and Mitigation. The applicant shall submit traffic analysis using "Trip Generation Standards" by Institute of Transportation Engineers. Explain traffic impacts, types of streets, opportunity for public transit access, impacts on vehicle, pedestrian, and bicycle circulation.
 - A. Estimated daily and peak hour vehicle trips generated by the proposed use, traffic patterns for vehicles and pedestrians showing adequate access to and from the site, and adequate vehicular and

pedestrian circulation within the site. Previously generated data may be used, however it cannot be more than two years old.

- B.** Traffic flow patterns at the site including entrances and egresses and curb cuts on site and within two hundred (200) feet of the site.
 - C.** A plan to minimize traffic safety impacts of the proposed project through such means as physical design and layout concepts, promoting use of public transit or van or car-pooling, or other appropriate means. This plan shall evaluate alternative mitigation methods to reduce traffic by 35 percent, including:
 - 1. Public transit, van and car-pool incentive programs, including parking facilities and weather protected transit shelters;
 - 2. Encouraging pedestrian and bicycle access to the site;
 - 3. Provision of integrated land uses, including on-site services, retail, and housing.
 - D.** A detailed assessment of the traffic safety impacts of the proposed project or use on the carrying capacity of any adjacent highway or road, including the projected number of motor vehicle trips to enter or depart from the site for daily-hour and peak-hour traffic levels, road capacities, and impacts on intersections. Said assessment may be based on the proposed mitigation (in the plan required by paragraph 2 above). Such analysis shall include incremental impacts at all significant or constrained intersections where such impacts may be measurable. Such analysis shall also include a mitigation plan, as necessary, to mitigate such impacts including construction of improvements, payment in-lieu of the project's proportional share of such improvements, or other "soft" solutions.
 - E.** An overall network analysis showing how the project distributes traffic and enhances the flow of the existing network.
 - F.** An interior traffic and pedestrian circulation plan designed to minimize conflicts and safety problems.
 - G.** Adequate pedestrian access, including provisions for sidewalks to provide access to adjacent properties and between individual businesses within a development.
 - H.** Safe provision for school bus stops and, when appropriate, public transit stops.
 - I.** Demonstrate that the project, including any concurrent road improvements, will not decrease the level of service (LOS) of all area roads or intersections effected by the project below the existing conditions when the project is proposed and shall consider the incremental nature of development and cumulative impacts on the LOS. The project proponent must demonstrate that they have mitigated all cumulative and incremental traffic impacts. If requested by the applicant, the Planning Board may accept in-lieu-of payments to fund a project's proportional share of necessary improvements to mitigate off-site traffic impacts, including provision of public transit and pedestrian or bicycle paths, in lieu of requiring off-site improvements, when it finds that such payments, in conjunction with funds from other projects or sources, will be used to fund improvements to mitigate traffic impacts. The Board may, in its discretion, allow minor drops in LOS when roads have surplus capacity (for example an A LOS might drop to a B without mitigation), but shall still consider incremental and cumulative impacts of traffic impacts. The Board may exempt residential projects what would have equal traffic impacts if they were developed as an as-of-right development without Site Plan Approval and Subdivision Approval. Provision for mitigation of all incremental traffic impacts to ensure that facilities are adequate to accommodate such traffic on area roads.
8. **Easements.** Prior to the final plan endorsement all easements to be granted by the developer to the City of Northampton shall be shown on the subdivision plans with bearings and distances, and their purpose shall be clearly stated. In addition, the applicant shall submit easement documents, suitable for recording, deeding said easements to the City. The easements shall be submitted by the Planning Board to the Department of Public Works and the City Solicitor, and their response shall be given in writing within thirty (30) days of the date of submittal.
9. **Restrictive Covenants.** The applicant shall submit all documents including, but not limited to, master deeds, restrictive covenants, deed restrictions, shared land, detention pond, open space, and recreation areas. A homeowner association must be established to maintain streets and infrastructure until and unless the streets are accepted by the City. Covenants must include the requirement that the homeowners/landowners association or other entity accept all responsibility under City Ordinances to keep all sidewalks in front of open space associated with the project free of snow. This requirement shall

apply even if omitted from a covenant.

10. On-Lot Sewage Disposal System. Where sewage disposal is to be by individual on-lot sewage disposal system, the Definitive Plan shall be accompanied by a report which includes the following:
 - a. The results of percolation and deep hole soil tests performed on each lot, in accordance with Title 5 of the State Environmental Code and the Northampton Health Regulations.
 - b. A map which locates the soil test sites on each lot.
 - c. Other data, including topographic conditions, natural drainage patterns, soil characteristics, maximum ground water elevations.
 - d. When on-site water supplies are to be used, the location of those supplies must be shown on a map along with proposed on-site sewage disposal systems and any existing off-site sewage disposal systems within 100 feet of the property line.
 - e. A statement by a Registered Professional Engineer or registered sanitarian as to the suitability of the area for the installation of subsurface sewage disposal systems of the general type and size as indicated in the Massachusetts Environmental Code.
11. Review by Board of Health as to Suitability of the Land.

The Board of Health shall, within forty-five (45) days after filing of the plan, report to the Planning Board in writing its approval or disapproval of said plan. A copy of such report shall be sent to the applicant. If the Board of Health disapproves said plan, it shall make specific findings as to which, if any, of the lots shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and reasons therefore in such report, and, where possible, shall make recommendations for the adjustment thereof. Any approval of the plan by the Planning Board shall then only be given on condition that the designated lots or land shall not be built upon or served with any utilities (including cesspools, septic tanks and drainage) without prior consent of the Board of Health. The Planning Board shall endorse on the plan such condition, specifying the lots or land to which such condition applies. Failure of the Board of Health to report shall be deemed approval by the Board of Health.
12. Wetlands Protection. In accordance with Massachusetts General Laws Chapter 131, Section 40 and the Northampton Wetlands Protection Ordinance, no person shall remove, fill, dredge, or alter any bank, beach, dune, flat, marsh or swamp bordering on any existing creek, river, stream, pond, lake or any land under said waters or subject to flooding without receiving a negative determination of applicability or an order or conditions from the local Conservation Commission and/or Department of Environmental Protection.

Failure of the Conservation Commission to report to the Planning Board within thirty (30) days after receipt of a Definitive Plan shall not exempt the proposed plan from wetland regulations established pursuant to the M.G.L. Chapter 131, Section 40 and local ordinances.

13. Special Conservancy/Watershed Protection (Floodplain) Districts. All subdivision proposals and other proposed new development shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If any part of a subdivision proposal or other new development is located within the City's Special Conservancy District and Watershed Protection Overlay District established under the Zoning Ordinance, it shall be reviewed to assure that:
 - a. the proposal is designed consistent with the need to minimize flood damage;
 - b. all public utilities and facilities, such as sewer, gas, electrical, and water systems shall be located and constructed to minimize or eliminate flood damage;
 - c. adequate drainage systems shall be provided to reduce exposure to flood hazards; and
 - d. base flood elevation (the level of the 100-year flood) data shall be provided for proposals greater than five acres for that portion within the Special Conservancy or Watershed Protection Overlay Districts.
 - e. see applicable section of the Northampton Zoning Ordinance.
14. Water Supply Protection District. Any portion of a proposed subdivision which lies within the limits of the City's Water Supply Protection District shall conform to the requirements of said district as stated in the appropriate sections of the Northampton Code of Ordinances.
15. Construction Quantities. The applicant shall submit a detailed estimate for all construction within the proposed roadway layout and/or public utility easements, certified by the project's Registered Professional Engineer. Said estimate shall be based on the "Standard Specifications for Highways and

Bridges", 1988 Edition, as amended, of the Commonwealth of Massachusetts, and shall include:

- a. Quantity, item number, unit price and total amount for each construction item
 - b. Total amount for cost of completion of project.
 - c. Costs adjusted to account for municipal prevailing wages rates
 - d. Costs adjusted to add a 20% inflation/safety factor
 - e. Engineering inspection, materials testing, legal and other soft costs.
16. Lighting System. The applicant shall include a complete street lighting system for the proposed street in the Definitive Plans. Said system shall include 50-watt high pressure sodium streetlights installed at intervals of approximately 200 feet, beginning at the entrance to the proposed street. Said system shall be in conformance with existing systems in the City, as well as with the local electric company street-lighting specifications. The applicant is responsible for purchasing and installing all equipment for said system, as well as ensuring that the system is the most advantageous utility rate. The street-lighting system will not be accepted by the city unless City Council accepts the street. The applicant shall include a complete street lighting system for the proposed street in the Definitive Plans prior to endorsement of those plans. Said system shall be in conformance with existing systems in the City, as supplied by the local electric company.
17. Erosion/Sedimentation Control Plan - In order to ensure, mitigate and prevent erosion/sedimentation of disturbed areas during and after construction activities, the developer shall submit a plan showing, in detail, what and when such measures will be implemented, on both a temporary and permanent basis, including land disturbances for house construction. Any site disturbing more than one acre must have a detailed Storm Water Pollution Prevention Plan (SWPPP) and an Erosion Control Plan submitted to and approved by the EPA or its designee in accordance with EPA's NPDES Phase II regulations and the City of Northampton's ordinances governing such.

6:05 Review Fees Required

1. If after receiving a subdivision application the Planning Board determines that it requires technical advice unavailable from municipal employees and departments to review the application, it may employ outside consultants. The Planning Board may, by majority vote, require that the applicant pay a reasonable review fee for the employment of outside consultants chosen by the Planning Board alone.
2. A review fee may be imposed only if:
 - a. the work of the consultant consists of review of studies prepared on behalf of the applicant, and not of independent studies on behalf of the Planning Board,
 - b. the board finds that an adequate review can not be performed by city forces,
 - c. the work is in connection with the applicant's specific project, and
 - d. all written results and reports are made part of the record before the Planning Board.
3. Before a fee is imposed:
 - a. the applicant shall be given five business days notice and opportunity to submit written comments relative to the invitation for bids or request for proposals,
 - b. the applicant shall be given five business days notice and opportunity to comment on all bids or proposals prior to the selection of the consultant and the award of a contract.
 - c. the applicant shall be given five business days notice and the opportunity to file an appeal of the selection of the outside consultant with the City Council. Grounds for said appeal are limited to written claims, with written documentation, that the consultant selected has a conflict of interest or does not possess the minimum required qualification in accordance with M.G.L. c. 44, §53G. If the City Council does not act within thirty days the Planning Boards decision shall stand.
 - d. All time limits for action shall be extended during administrative appeals and processes detailed in paragraphs a, b, and c above.
4. Any invitation for bids or request for proposals shall indicate that award of the contract is contingent upon payment of a review fee. If the applicant fails to pay the review fee within ten days of receiving written notification of the execution of a contract with a consultant, the board

may deny the subdivision approval.

5. Each review fee shall be deposited in a special account established by the municipal treasurer pursuant to M.G.L. c. 44, §53G.
 - a. Funds from the special account may be expended only for the purposes described above, and in compliance with municipal procurement requirements.
 - b. Within sixty days of the completion of the project or of such time as the applicant formally withdraws the proposal, the applicant shall receive a final report of funds in the special account and shall be paid any unspent excess in the account, including accrued interest (if any).

(Amended April 11, 1991)

6:06 **Approval of Definitive Plan**

1. **Public Hearing.** Before approval, modification and approval or disapproval of a Definitive Plan is given, a Public Hearing shall be held by the Planning Board. Notice of the time and place of the hearing, and of the subject matter, sufficient for identification, shall be given by the Planning Board at the expense of the applicant by advertisement in a newspaper of general circulation in the City of Northampton once in each of two successive weeks, the first publication being not less than fourteen (14) days before the day of such hearing. A copy of said notice shall be mailed to the applicant and to all owners of land abutting upon the subdivision. The applicant or representative shall be present at the hearing.
2. **Approval, Modification or Disapproval.** After the required hearing, but within the period specified in the Subdivision Control Law for the submission of the Definitive Plan, the Planning Board shall take action thereon. It may approve, modify and approve, or disapprove said plan, as provided by statute. Any approval of the plan by the Planning Board shall only be given on condition that the designated lots or land shall not be built upon or served with any utilities, such as septic tanks or cesspools, and drainage without prior consent of the Board of Health. The Planning Board shall endorse on the plan such conditions as set forth by the Board of Health and the lots and land affected by such conditions. The action of the Planning Board in respect to such plan shall be certified and filed with the City Clerk and sent by mail, postage prepaid, to the applicant at his address as stated on the application (see Appendix A, Form F).

In the event of disapproval, the Planning Board shall state in detail wherein the plan does not conform to these Rules and Regulations of the Planning Board or the recommendations of the health board or officer and shall revoke its disapproval and approve of a plan which, as amended, conforms to these Rules and Regulations or recommendations. Any amended plans which are resubmitted for approval shall follow the same procedures as the original submission (Filing Fee, Public Hearing, etc.). Any amended plans submitted later than three (3) months following the date of the expiration of the appeal period or appeal(s) on the disapproval of the originally submitted plan must conform to the Subdivision Rules and Regulations and procedures (Filing Fee, Public Hearing, etc.) that are in effect at the time of the amended plan's filing.

Final approval, if granted, shall be endorsed on the reproducible drawings of the Definitive Plan by the signatures of the majority of the Planning Board, but not until the statutory 20-day appeal period has elapsed following the filing of the certificate of the action of the Planning Board with the City Clerk and said Clerk has notified the Planning Board that no appeal has been filed, or if appeal has been taken, not until the entry of a final decree of the court sustaining the approval of such plan.

Final approval of the Definitive Plan does not constitute the laying out or acceptance by the City of streets within a subdivision. Such laying out or acceptance shall be by action of the City Council upon recommendation of the Planning Board and the Board of Public Works.

3. Endorsement. An approved, or approved with modifications, plan shall not be endorsed until after the mandatory twenty (20) day appeal period has elapsed and not until the applicant has:
- a. Posted the necessary performance guarantee. The monetary value of said guarantee, using any method other than a covenant, shall be based on a revised construction quantity estimate (see Section 6:03.14) if conditional approval of the subdivision was given and if said approval changed the original quantities. In addition, the monetary value of the performance guarantee shall be adequate to cover all costs the City would incur to complete the project at the end of the expiration of said guarantee, including but not limited to construction costs at State (or, if required, Federal) "prevailing" wages, record plans, street acceptance plans, and legal costs.
 - b. Made the necessary corrections, whenever applicable, on the plan, easements, master deeds, restrictive covenants, etc., if conditional approval was given to the satisfaction of the Planning Board.
 - c. Presented to the Planning Board, and the Planning Board has subsequently approved, any additional information requested as part of a conditional approval.
 - d. Paid the necessary inspection fee (if §8:05(6) is applicable).
 - e. Presented to the Planning Board for their approval, two sets of plans showing the complete natural gas, electrical, telephone and cable TV supply systems (including pipes, pumps, valves, gates, hand-holes, transformer padmounts and similar equipment). Said plans will be accompanied by endorsements from the respective utilities that the plans have received their approval. In addition the electrical utility shall place a statement on the plans that the proposed underground electrical distribution system is capable of accommodating a future street lighting system with provisions for street lights (including hand-holes) included in the electrical system with approval from DPW that the placement will not interfere with other utilities.
 - f. Presented to the Planning Board for their approval, two sets of a complete street lighting system for the proposed subdivision with approval from DPW that the placement will not interfere with other utilities. Said system shall be in conformance with existing systems in the City, as supplied by the local electric company. In addition, the applicant shall petition the City Council to accept said system.
 - g. Delivered to the Planning Board two (2) sets of reproducible drawings of the Definitive Plan with the necessary corrections. After endorsement by the Planning Board, the applicant shall deliver to the Planning Board six (6) (sets of copies (unless OPD staff specifies fewer copies) of the endorsed Definitive Plan. All plans must be accompanied by digital CAD file and digital graphic file (see definitions), which shall be submitted to both DPW and the Office of Planning and Development. The digital graphic file must include all final signatures.
 - h. Deliver an Irrevocable Offer of Dedication of all facilities to be dedicated to the public. Said offer must be accompanied by a lawyer's title opinion that the offer is free of any liens and encumbrances and all mortgages must be subordinated to the Offer. The Offer shall be irrevocable, except the offer can be withdrawn if the project proponent does not proceed with the project and requests that the subdivision approval be rescinded or otherwise amended such that the dedication is no longer necessary.
 - i. Failure of the applicant to meet the above requirements shall be full and sufficient reason to withhold endorsement.
 - j. If the applicant fails to submit the required Performance Guarantees, easements and other documentation and the endorsement of the Plan by the Planning Board is delayed more than six (6) months after the expiration of the twenty (20) day appeal period, the Planning Board, on its own motion, shall exercise its power to modify, amend, or rescind its approval of the subdivision plan or to require a change in the plan as a condition of said plan retaining the status of an approved plan.
4. Performance Guarantee. Before endorsement of the Planning Board's approval of a Definitive Plan of a subdivision, the applicant shall agree to complete the required improvements specified in Section 7:00 and

8:00 for all lots in the subdivision, such construction and installation to be secured in accordance with Section 81U of the Subdivision Control Law by one, or in part by the other, of the following methods which may from time to time be varied with the applicant:

- a. Approval with Financial Performance Guarantees (Surety Bonds, Money, Three Party Lender Agreement, or Letters of Credit). The applicant shall either file a surety company performance bond or provide a deposit of money or negotiable securities, including letters of credit, in an amount determined by the Planning Board (see Section 6:04.14 and 6:06.3.a) in consultation with the appropriate City departments, to be sufficient to cover the cost of all or any part of the improvements specified in these regulations at State (or, if applicable, Federal) prevailing wage rates" not covered by a covenant under "b" below, and to cover the costs of inspections, record plans, street acceptance plans, and legal work, and a 20% contingency/inflation factor. Warranty principal shall be not less than 15% of the estimated cost of those components of the entire project which shall be dedicated for public use and shall cover workmanship and materials.

If financial performance guarantees are used, at least two lots in a subdivision which can be built on must be covered by a covenant (under paragraph b below) to insure that all work, including legal work, is completed.

Letters of Credit, three-party agreement for lender retention of funds, surety bonds and other financial performance guarantees must be drafted so that the only requirement that must be met for the Planning Board to draw on the letter is to notify the financial institution (grantor) that:

"We have incurred liability by reason of the failure of the applicant/developer/owner, within ninety days of the expiration of this letter, to complete the construction of their project (insert name of subdivision and plans) in accordance with the definitive subdivision plans and submittal, the subdivision approval, the Northampton Zoning Ordinance, and the Rules and Regulations Governing the Subdivision of Land in Northampton. The amount drawn, which may be more than required to complete the project, will be held in a segregated bank account until the work can be bid competitively and the bid awarded and paid for or until the contract for the work is otherwise let and the work paid for. Any excess over the cost of completing the work will be returned to the grantor."

Such bond, deposit of money or negotiable securities, shall be approved as to form, the surety or financial institution, and manner of execution by the Planning Board.

For any surety bond:

- a. The surety must agree that any litigation stemming out of the bond will take place in Massachusetts
 - b. The bond must include the name and address of the person to be served for any legal action.
 - c. The bond must specifically include the terms above.
 - d. No expiration date may be allowed in the bond (the bond must be valid until the work is complete) and the warranty performance period has been completed..
- b. Approval with Covenant. Instead of filing a bond or depositing money, the applicant may fulfill a covenant (see Appendix A, Form I), executed and duly recorded concurrent with recording the subdivision approval by the owner of record, running with the land, that no lot in the subdivision shall be sold and no building erected thereon until such ways, services and, whenever applicable, temporary turnarounds are constructed and installed, and until record plans, street acceptance plans, and other required work are accepted by the Planning Board in accordance with these Rules and Regulations so as to adequately serve the lots.

Such covenant shall be inscribed on the Definitive Plan or on a separate document referred to on

the plan and delivered to the Planning Board. The Planning Board shall turn over the covenant agreement to the City Solicitor, who shall review its contents and forward his comments in writing to the Planning Board. Upon approval of the covenant by the Planning Board, the applicant shall note the Planning Board's action on the Definitive Plan (see Section 6:03.12) and the Planning Board shall record the covenant, endorsed Definitive Plan, and other appropriate documents at the Hampshire County Registry of Deeds (see Section 6:06.6).

5. Completion Time Schedule. The Performance Guarantee, whether by bond, deposit of money, letter of credit, or covenant, as previously described herein, shall be contingent upon the completion of such improvements, and the required a one year warranty on as required in these Rules and Regulations within a maximum period of three (3) years of the date of such bond, deposit of money, or covenant. There shall be at least a three (3) month period between the completion date of all improvements and one year warranty period and the expiration date of any bond, deposit of money, or letter of credit. Said three (3) month period shall give the City the opportunity to collect the financial performance guarantee so that it will be able to complete the necessary improvements in case (a) the developer is unable to do so; and/or (b) the Planning Board denies any requests for an extension of time. "Warranty" shall include all workmanship and materials.

Upon written request from the applicant, the Planning Board may, at its discretion, grant an extension of time, and such agreement shall be executed and affixed to the financial performance guarantee or covenant.

In the case of a surety company bond, such an agreement for an extension shall not be effective until the surety delivers to the Planning Board a written statement that the surety agrees to the proposed alteration of the completion schedule and that such alteration shall not relieve or affect the liability of the surety company.

Failure to complete all improvements as required by these Rules and Regulations within the time allotted shall cause the Planning Board (a) to draw upon the performance guarantee (surety bond, deposit of money, letter of credit) in order to complete said improvements; and/or (b) schedule a Public Hearing in order to rescind approval of the subdivision in accordance with appropriate sections of Chapter 41, Section 81, of M.G.L.

6. Recording of Plan. The Developer, with a representative of the Planning Board present, shall, within ten (10) days after the Definitive Plan has been endorsed, record said plan, Form F, and, whenever applicable, the Planning Board's Order of Conditions, public easements (plans and documents), restrictive covenants, master deeds, etc., at the Hampshire County Registry of Deeds, and in the case of registered land, with the recorder of the Land Court. The cost of said recording shall be borne by the developer.
7. Pre-Construction Conference Prior to construction, the developer and the contractor must meet with the DPW Director and the Office of Planning and Development to review the subdivision permit and conditions. The applicant must provide evidence that all required documents have been recorded.

Subsequent to said recording and prior to any Building Permit being issued, the Project Applicant shall file within seven (7) calendar days one (1) print of the Definitive Plan with the Building Inspector. Further, in accordance with the statute, where approval with covenant is noted thereon, the Inspector shall issue no permit for the construction of a building on any lot within the subdivision, except upon receipt from the Planning Board of a copy of the Certificate of Performance) releasing the lot in question.

1. Procedures for Partial Release. The subdivider may, upon partial completion and installation of required improvements in a subdivision, as specified in Sections 7:00 and 8:00 of these Rules and Regulations, the security for the performance of which was given by bond, deposit of money, letter of credit, or covenant, make formal application, in writing, to the Planning Board for partial release of his Performance Guarantee, in accordance with the procedures set forth herein:
 - a. Financial Performance Guarantee. The amount of a such bond, or deposit of money, or letter of credit or three-party agreement for lender fund retention, held may, from time to time, be reduced by the Planning Board. The applicant shall present to the Planning Board a list of all construction items performed and/or completed, said list to be based on §6:04.14, the subdivision approval, and the subdivision regulations in their entirety. The amount to be reduced by the Planning Board, after consultation with the Department of Public Works, shall be based upon Federal or State prevailing wage construction costs at the time the application for reduction is made. The Planning Board shall withhold adequate funds to complete the project, as described in §6:06(3)(a) and §6:06(4)(a), but shall withhold no less than twenty (20%) percent of the original approved cost estimate or fifty thousand dollars (\$50,000), whichever is greater. At the completion of the project (based on a written acceptance from the Planning Board that the project has been completed) and a one-year warranty period, the amount withheld shall be released under §6:07(2).
 - b. Covenant. The subdivider may request a Release of Conditions (see Appendix A, Form G) for lots where the required improvements have been completed for that section of roadway beginning at any intersection with a City road and abutting lots up through the last lot to be released. Lots may only be released if they abut the completed portion of the road. No partial release from the covenants will be approved if the total length of roadway, including a temporary turnaround, abutting said designated lots, exceeds the City's maximum allowable length for dead-end streets, as mentioned in §7:01(5), unless the Planning Board has already approved within the limits of the development a dead-end street exceeding said limits.

In the absence of financial performance guarantees, adequate covenants will be held to insure completion of the project, including record plans, street acceptance plans, site inspections, and legal work. In addition, a covenant on two lots which can be built on will be held until all work in the subdivision, including the signing of all necessary legal documents, has been completed.
2. Procedures for Full Release. The subdivider may, upon completion and installation of required improvements in a subdivision, the completion of record plans and street acceptance plans, as specified in these Rules and Regulations, and the completion of a one-year labor and materials warranty period make formal application, in writing, to the Planning Board for full release of any outstanding performance guarantee. Before the Planning Board releases the full interest of the City in said performance guarantee, the Planning Board shall:
 - a. Obtain in writing from the DPW Director or from a registered professional engineer chosen by the Planning Board, a certificate of statement (see Appendix A, Form G) that all work required by these Rules and Regulations has been constructed in conformance with the approved construction plans. In the case where roadways will remain under private ownership, the above-mentioned certificate or statement shall be supplied by the project's registered professional engineer.
 - b. The applicant shall present the Planning Board with letters from the electric, telephone, gas and cable TV companies stating that their respective underground systems have been installed to their satisfaction.
 - c. Obtain from the applicant a set of record construction plans. Said plans shall include, but not be limited to, all the information requested in §8.06, Record Plans. Approval of said plans by the Planning Board shall take place after review of the former by the DPW Director.
 - d. Receive from the applicant street acceptance plan or plans and necessary documents, as

stated in §8.07, Acceptance Plans. Said plans and documents, after approval by the Planning Board and the DPW Director, shall be presented by the Planning Board to the City Council for a formal street acceptance.

- e. The applicant may be required to execute an instrument, in a form approved by the Planning Board, transferring to the City or to an approved public utility company, without cost, valid unencumbered title to all sanitary sewers, water mains, and appurtenances thereto, and other utilities constructed and installed in the subdivision of approved portion thereof, and conveying to the City or to an approved public utility company without cost and free of all liens and encumbrances, perpetual rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain such sanitary sewers, water mains and other utilities, with any manholes, conduits, and other appurtenances, and to do all acts incidental thereto, in, through, and under the whole of all streets in the subdivision or approved portion thereof, and if any such sewers or water mains have been constructed and installed in land not within such streets, then in, through, and under a strip of land extending fifteen (15) feet in width on each side of the centerline of all such sewers and water mains. The Planning Board may require greater than fifteen (15) feet in width on each side of the centerline where it deems necessary.
- f. If the Planning Board determines that all improvements as shown on the endorsed Definitive Plan and all required plans and legal documents have been completed satisfactorily, it shall release all the interest of the City in such performance guarantee and return the bond to the person who furnished the same, or release the covenant, by appropriate instrument, duly acknowledged, which may be recorded.
- g. If the Planning Board determines after inspection that said construction or installation has not been completed, or wherein said construction or installation fails to comply with these Rules and Regulations, the Planning Board shall send by registered mail to the applicant and to the City Clerk the details wherein said construction or installation fails to comply with its rules.
- h. The applicant shall have thirty (30) days after receipt of such notice to correct all problems mentioned in the above. Failure of the applicant to finish all the necessary work within said thirty (30) days shall cause the Planning Board to draw upon the bond or deposit of money as mentioned below.
- i. Any such bond may be enforced and any such deposit may be applied by the Planning Board for the benefit of the City of Northampton, as provided in Chapter 41, Section 81 of the M.G.L. upon failure of the performance for which any bond or deposit was given to the extend of the reasonable cost to the City of completing such construction and installation.

- 3. Release of Lots from Covenant in Exchange for Bond or Deposit of Money. The subdivider may request a Release of Lots from Covenant in exchange for a financial guarantee provided that:
 - a. The lots run consecutively and are released on both sides of the road simultaneously, beginning with the lots nearest any intersection of the subdivision road and a City road.
 - b. The amount of the financial guarantee and the financial guarantee process shall be determined by the Planning Board, as described above.

6:08 Deviation from Approved Plan

- 1. After approval of any Definitive Plan, the location and width of ways shown thereon, or any street or way subject to the Subdivision Control Law, shall not be changed unless the plan is amended in accordance with the provisions set forth in Section 81-W, Chapter 41, as amended, of the General Laws, and approved by the Planning Board.
- 2. In the event the applicant desires to alter or change the grade of a street or the size, location or layout of a storm sanitary or water line or appurtenant structure, he shall:
 - a. Provide the Planning Board with a written statement requesting such alteration or change.
 - b. Provide the Planning Board with three (3) prints of the original Definitive Plan with the

- proposed changes drawn on said prints in red.
- c. No change or alteration shall be permitted unless such change or alteration has been approved by the Planning Board.
- d. After approval of a change or alteration, the applicant shall cause such approved changes to be shown on the record plans (see §8.06).
- e. Deviations from material and construction specifications shall not be allowed, except as specifically authorized by the Planning Board, upon consultation with the DPW Director.

6:09 Submission of Revised Plans, Additional Materials, etc.

Any revised plans and other additional materials submitted by the developer after the original submission, must be accompanied by a Form K and the appropriate Fee and the developer must provide the number of copies and the format required for the original submittal.

The Planning Board may elect not to consider such revised plans or other additional materials if such plans/materials are not filed with the Planning Office at least fourteen days prior to the date of the Public Hearing or meeting at which the developer wishes them to be considered. This is to ensure that the city departments and the public have adequate time to review and comment on said materials.

1. After approval of any Definitive Plan, the location and width of ways shown thereon, or any street or way subject to the Subdivision Control Law, shall not be changed unless the plan is amended in accordance with the provisions set forth in Section 81-W, Chapter 41, as amended, of the General Laws, and approved by the Planning Board.
2. In the event the applicant desires to alter or change the grade of a street or the size, location or layout of a storm sanitary or water line or appurtenant structure, he shall:
 - a. Provide the Planning Board with a written statement requesting such alteration or change.
 - b. Provide the Planning Board with three (3) prints of the original Definitive Plan with the proposed changes drawn on said prints in red.
 - c. No change or alteration shall be permitted unless such change or alteration has been approved by the Planning Board.
 - d. After approval of a change or alteration, the applicant shall cause such approved changes to be shown on the record plans (see §10.07).
 - e. Deviations from material and construction specifications shall not be allowed, except as specifically authorized by the Planning Board, upon consultation with the City Engineer.
 - f. The Planning Board shall have thirty (30) days to respond to the applicant's request for said change or alteration.

SECTION 7:00 DESIGN STANDARDS

Streets, sidewalks, water systems, sanitary sewers, storm drain systems, public and private utilities and other infrastructure shall be constructed in accordance with this chapter and The editions of the Commonwealth of Massachusetts Department of Public Works (a) "Standard Specifications for Highways, Bridges and Waterways," (to be referred hereto as the "Standard Specifications"), (b) "Construction Standards" on the date of the subdivision application (to be referred to hereto as the "Construction Standards"), and (c) "Massachusetts Erosion and Sedimentation Control Guidelines for Urban and Suburban Areas" in effect on the date of submission of the subdivision application,

7:01 Streets and Ways

Streets and ways shown on the subdivision plan, must comply with the following requirements:

1. Location
 - a. All streets and ways shall be designed so that in the opinion of the Planning Board, they will provide safe vehicular travel. Due consideration shall also be given by the subdivider to the attractiveness and design of the street layout in order to obtain the maximum livability and amenity of the subdivision. As far as practicable, streets should also follow natural contours.
 - b. The proposed streets shall conform, so far as practicable, to any Master Plan, as adopted in whole or in part by the Planning Board.
 - c. Provision shall be made, to the satisfaction of the Planning Board, for the proper projection of streets, or for access to adjoining property which is not yet subdivided or developed. A right-of-way from the end of all cul-de-sacs and dead-end roads to adjoining property must be part of the street layout and must be shown on street acceptance plans and deeds unless there is compelling evidence that the adjoining property will never be developed. If the adjoining property shall never be developed, there shall be a pedestrian and bicycle trail up to the property line, unless wetlands and grade make that impossible.
 - d. Streets entering opposite sides of another street shall be laid out either directly opposite each other or with a minimum offset of one hundred and fifty (150) feet between their centerlines. This minimum offset shall also be observed whenever one or more streets entering opposite sides of another street are existing, whether located within or outside the boundary of the proposed development.
 - e. Streets entering the same side of another street shall be laid out with a minimum offset of one hundred and fifty (150) feet between their centerlines. This minimum offset shall also be observed whenever one or more streets entering the same side of another street are existing, whether located within or outside the boundary of the proposed subdivision.
 - f. Temporary dead-end or cul-de-sac streets shall conform to the provisions of alignment, width, and grade that would be applicable to such streets if extended.
2. Alignment. Horizontal and vertical alignment shall be in accordance with the standards as shown in §7:01.9.
3. Grade. Grades shall be in accordance with the standards as shown in §7:01.9.
4. Intersections. Streets and ways shall be laid out so as to intersect in accordance with the standards as shown in §7:01.9 and the following:
 - a. Street and way lines at all intersections, between proposed streets or between, whenever, applicable, a proposed and/or existing street, shall be rounded with a curve at each corner which has a property line radius of not less than thirty (30) feet.
 - b. The center line of all intersecting streets or ways shall be a straight line from the point of intersection of said center line for a distance of no less than one hundred (100) feet.
 - c. On any street where the grade exceeds two (2) percent on the approach of the intersection, a leveling area, with a maximum slope of two (2) percent shall be provided

for a distance of not less than thirty (30) feet measured from the nearest gutter line of the intersecting street.

- d. Streets entering opposite sides of another street shall be laid out either directly opposite each other or with a minimum offset of one hundred and fifty (150) feet between their centerlines. This minimum offset shall also be observed whenever one or more streets entering opposite sides of another street are existing, whether located within or outside the boundary of the proposed development.
- e. Streets entering the same side of the other street shall be laid out with a minimum offset of one hundred and fifty (150) feet between their centerlines. This minimum offset shall also be observed whenever one or more streets entering the same side of another street are existing, whether located within or outside the boundary of the proposed subdivision.

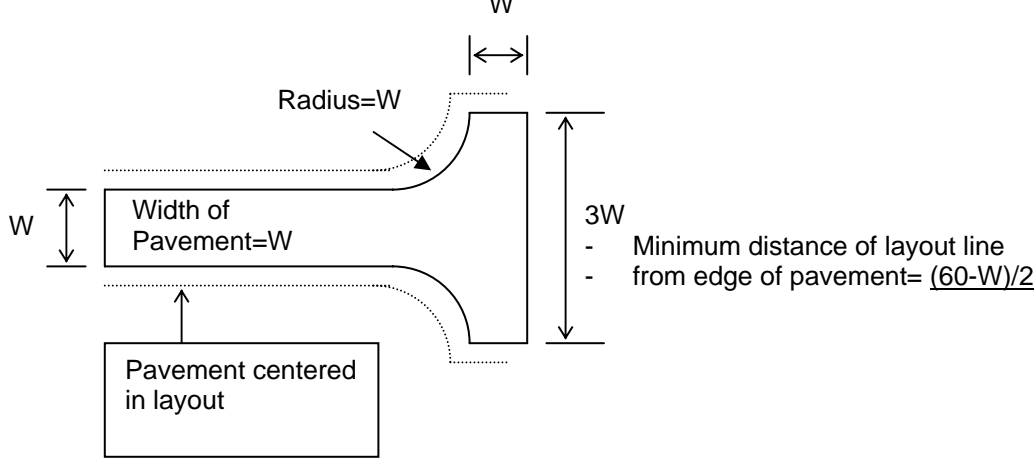
5. Cul-de-Sac or Dead-End Street It is the Board's policy not to approve streets that do not connect to existing neighborhoods or do not provide for connections in the future. The applicant must show a scenario of how a street connection can be made. Further, the developer shall make every effort to avoid the creation of dead-end streets and must connect their subdivision to existing dead-end streets whenever reasonably possible. Dead end streets are more expensive to maintain, limit emergency access, and reduce the sense of connection and equality that comes from interconnecting street grids.

Dead-end streets are only appropriate when the surrounding property will never need a street connection, because of extremely sensitive and permanently protected natural resources, and the project provides a viable alternative pedestrian and bicycle connection to the surrounding property, and the street connection will not aid the transportation network that serves the subdivision, and the dead-end street will not serve more than 20 housing units.

- a. Every street in the proposed subdivision shall be laid out in such a manner that every portion of every street is less than five hundred feet (500'), as measured along the centerline of construction of the street from the nearest connected existing public street which is not itself a deadend street. Cul-de-sacs or dead end streets shall be allowed only on local streets in Type I Subdivisions. See also §7:01(1)(c).
- b. All cul-de-sac streets shall use permanent teardrop-shaped cul-de-sac with a turnaround at the end of the street having a minimum island radius of forty (40) feet and a property line radius of at least eighty (80) feet (see below). The center of the cul-de-sac shall be on the centerline of construction.
- c. A permanent cul-de-sac turnaround (island) shall be constructed in lieu of paving the entire area of the cul-de-sac (see below). The roadway pavement shall have the same width as the roadway leading into the cul-de-sac, said pavement width beginning at the exterior radius of the turnaround, with the inner circle graded, seeded and/or appropriately planted with acceptable trees or shrubs, or left with natural tree growth. The maintenance of said inner circle shall be the responsibility of the developer, his successors and assigns, or a homeowners' association. The inside radius of the cul-de-sac pavement shall be constructed with granite-edging type SA).
- d. A temporary cul-de-sac or temporary turn-around shall be allowed only where, in the opinion of the Planning Board, it is essential to the reasonable development of the subdivision and where it is a part of a street or way that eventually will be extended into adjoining property. The design of a temporary turnaround shall be satisfactory to the Planning Board, and clearly shown on the plan as temporary in nature, and such property lines shall be those which would normally have been required or used without the turnaround. Regardless of the above, no temporary cul-de-sac shall be allowed if the street length exceeds the limit set in these Rules and Regulations. Unless performance guarantees and legal permissions are provided adequate to ensure that the street shall be connected with a time period approved by the Planning Board. Layout of the turnaround beyond the normal street right-of-way lines shall be in the form of an easement to the City of Northampton covering said premises included in the

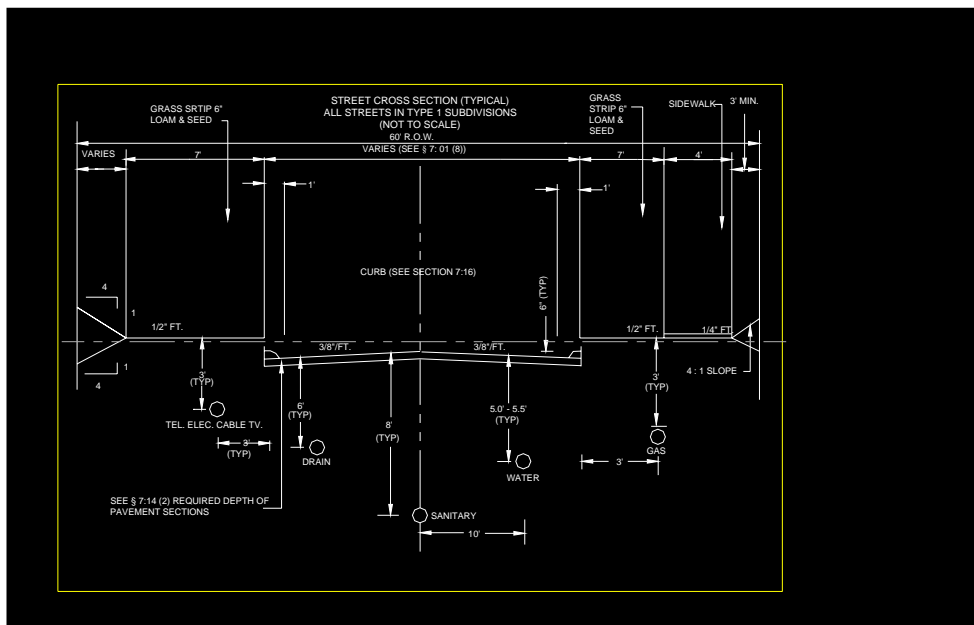
turnaround. When the street is extended into adjoining property, the easement shall become null and void.

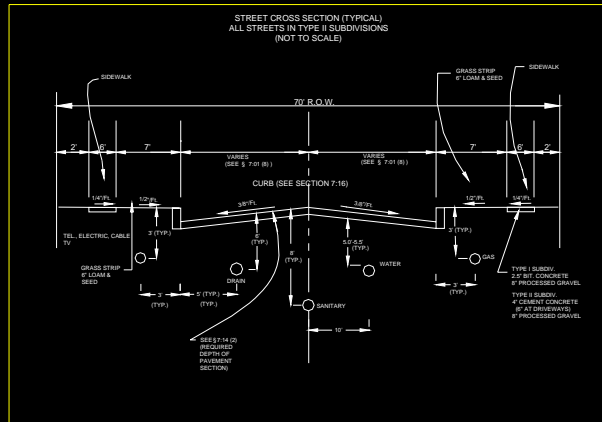
- e. The road going around a cul-de-sac turn around shall be a one way road twenty (20) feet wide around a tear-drop shaped cul-de-sac island
- f. A hammerhead shall be allowed instead of a cul-de-sac. Said hammerhead shall be designed a "T", in accordance with the attached sketch, to allow fire trucks and snow plows to turn around with only one backing-up movement. It shall be at the same width as the street they abut and shall be at least twenty-four (24) feet long. Lots may only gain frontage from one edge of the hammerhead.



6. Street Cross Sections

- a. Cross sections shall be in accordance with the standards as shown below.
- b. Only one typical cross section need be shown on the Definitive Plan if the former conforms to the standard shown below. Any variation from the typical standard should be shown on the construction plans at fifty (50) foot intervals.





7. Right-of-Way Width. The right-of-way width shall be:
 All Streets--Type I subdivision: 60 feet
 All Streets--Type II subdivision: 70 feet
8. Paved Roadway Width. The roadway width shall be based on the following criteria:
 - a. Projected traffic volume generated by the development, based on ten (10) average daily trips (ADT) per dwelling unit (i.e., a two-family house will generate 20 ADT).
 - b. The maximum number of vehicles, based on the above-mentioned ADT per dwelling unit, whether generated within the development (as in the case of a dead-end street) or outside of said development (as in the case of a through street) and passing any section of a roadway will determine the width of the entire length of said roadway, based on standards as shown also Street Cross Section above):

	<u>Pavement Width (face to face of berm)</u>
Type A: Proposed street with MDTVP of not greater than 300 ADT	22'
Type B: Proposed street with MDTVP of not greater than 500 ADT	24'
Type C: Proposed street with MDTVP of not greater than 2,000 ADT	26'
Type D: Proposed street with MDTVP exceeding 2,000 ADT	28'
Any one-way street or alley in a Type I subdivision	20'
Type II Subdivision streets serving properties with less than 25% retail or industrial uses (by gross square footage)	30'
<u>All other streets in Type II Subdivisions</u>	<u>40'</u>

- c. In establishing the proposed road width, the developer shall also consider the future growth of the surrounding area.
- d. The center line of the roadway shall coincide with the center line of the right-of-way, unless otherwise approved by the Planning Board.
- e. Greater widths may be required by the Planning Board when deemed necessary for present and future vehicular traffic. This may include widening and upgrading existing streets.
- f. In accordance with Northampton Zoning, on-street parking can potentially be allocated to a commercial project which doesn't require night-time parking by-right or by special permit, for zoning parking count purposes, prior to a street being dedicated for public use.

9. Street Standards

	Type II Streets and Major and Collector Streets	Local Streets
<u>Horizontal Alignment</u>		
Minimum radius of center line (in feet) (See also §7:01(4)(b)).	500	250
<u>Vertical Alignment</u>		
Minimum stopping sight distance at three and one-half (3.5) feet above pavement (feet)	275	200
<u>Grade</u>		
Maximum (percent)	5	8
Minimum (percent)	0.75	0.75
<u>Intersection</u>		
Intersection angles (degrees)	90	90
Minimum sight distance (in feet) (at stop-controlled or obstructed-view intersection)	550	300
<u>Minimum radius at edge of roadway (in feet)</u>	30	25

10. **Traffic Calming:** The Consistent with the above standards, the design shall make every effort to reasonably calm the traffic within the subdivision and on surrounding streets to ensure pedestrian and bicycle friendly design and to prevent a decrease in traffic safety as a result of the additional traffic the project will generate. Traffic calming may utilize methods detailed in ITE's "Traditional Neighborhood Development" or "Traffic Calming: State of the Practice," but must utilize methods that will not make snow plowing or road maintenance especially burdensome for the city.

7:02 Easements. For municipal utilities easements shall be thirty (30) feet in width, except that wider easements may be required by the Planning Board where necessary. Utilities shall be located as close as possible to the center line of the easement.

7:03 Open Space. Before approval of a plan, the Planning Board may also, require the plan to show a park or parks suitably located for playground or recreation purposes or for providing light and air. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of such land. The Planning Board may, by appropriate endorsement of the plan, require that no building be erected upon such park or parks for a period of not more than three years without its approval. Where the subdivision constitutes an approved Cluster Development under the Zoning Ordinance of the City, the disposition of the open space under such approval shall be designated as part of the subdivision plan.

7:04 Fencing. Fencing shall be required in subdivisions abutting limited or controlled access highways or expressways, or other limited or controlled access roads. Fencing may be required in other areas where physical features require such safety.

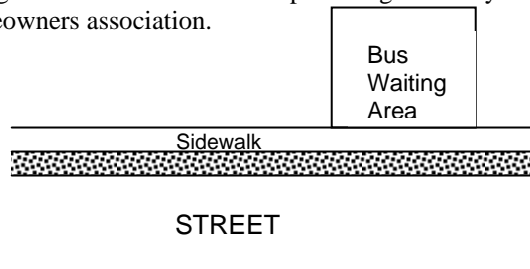
7:05 Protection of Natural Features. All natural features, such as large trees, watercourses, scenic points, historic plots, and similar community assets shall be preserved, if, in the opinion of the Planning Board, they will add attractiveness and value to the subdivision.

7:06 Guard Rails. Guard rails shall be provided at points of hazard along the roadway, such as fixed objects and the pavement edge, high fills, fills on sharp curvature, along water courses, steep cliffs, along deep ditches in cuts and similar locations as required by the MA Highway and Bridge Standards (4:1 slopes). Type and installation of

guard rails shall be approved by the-DPW Director. Type and installation of guard rails shall be approved by the DPW Director.

7:07 Sidewalks and School Bus Stops.

1. Sidewalks shall be required on both sides of all streets in Type II subdivisions with retail or commercial development and Type I subdivision collector streets. Sidewalks shall be required on one side of all streets in Type I subdivision local streets and on Type II subdivision local streets where there is no retail or commercial development on the side of the street where no sidewalk is proposed. Sidewalks shall be required on both sides of a street in subdivisions for multi-family and town-houses. This may require a design with some utilities under the sidewalks to accommodate layout width.
2. Sidewalks shall be of cement concrete with a minimum width of six (6) feet in Type II subdivisions. In Type I subdivision collector streets sidewalks shall be of cement concrete with a minimum width of six (6) feet for collector streets and five (5) feet for local streets.
3. All sidewalks shall conform to the material and construction methods as specified in Section 701 of the Standard Specifications. In addition, all cement concrete sidewalks shall be reinforced with 10/10 - 6 x 6 wire fabric.
4. All subdivisions with 10 or more lots located in an area where school busing is provided or is likely to be provided in the future must provide at least one bus waiting area for school children. This area must be between 30 square feet and 100 square feet, depending on the size of the subdivision (number of students generated). The waiting area shall not include the width necessary to meet the sidewalk standards. It must be constructed of cement concrete; it shall be located at the entrance(s) to the subdivision, abut the outside edge of the sidewalk, and shall contain a bench. All subdivisions consisting of 15 or more lots must incorporate a bus shelter in addition to a bench. Any portion of the waiting area that is outside of the public right-of-way must be owned and maintained by a private homeowners association.



7:08 Wheelchair Ramps. All sidewalks shall be handicapped accessible from the roadway at all intersections. Wheelchair ramps to accomplish the above shall be designed and constructed according to the Commonwealth of Massachusetts Department of Public Works, "Construction Standards" 1977 Edition, as amended.

7:09 Adequate Access from Public Way

1. Where the street system within a subdivision does not connect with or have, in the opinion of the Planning Board, adequate vehicular, pedestrian, and/or bicycle access from a City, County or State public way or private way, the Planning Board shall require, as a condition of approval of a plan, that such adequate access be provided by the subdivider, and/or that the subdivider make physical improvement(s) of access to and within such a way, in accordance with the provisions for these Subdivision Regulations, either from the boundary of the subdivision to a City, County or State public way or private way, or along such public way for a distance which, in the opinion of the Planning Board is sufficient to provide adequate access to the subdivision.
2. Where the physical condition or width of a public way from which a subdivision has its access is considered by the Planning Board to be inadequate to either provide for emergency services or carry the traffic which is expected, in the opinion of the board, to be generated by such subdivision, the Planning Board shall require the subdivider to dedicate a strip of land for the purpose of widening the abutting public way to a width commensurate with that required within

the subdivision and to make physical improvements to and within such public way to the same standards required within the subdivision or by these Subdivision Regulations. Any such dedication of land for the purpose of the way and any such work performed within such public way shall be made only with permission of the governmental agency having jurisdiction over such way, and all costs of any such widening or construction shall be born by the subdivider.

3. The Planning Board shall disapprove of a subdivision plan where, in the opinion of the Planning Board, the existing surrounding municipal infrastructure (eg. street width and construction, sanitary sewer, public water, storm sewer, etc.) is insufficient and/or incapable of handling the additional volumes (eg. traffic, sewage, storm water, etc.) anticipated, by the Planning Board, to be generated by the project. Planning Board may accept or require off-site improvements to mitigate any of these impacts.

7:10

Landscaping, Street Trees and Tree Belts

1. Tree belts a minimum of eight (8) feet wide shall be provided on each side of the roadway (seven feet if it is not possible to accommodate eight in the right-of-way). When sidewalks are required, the tree belt shall be between the curb and the sidewalk with the trees planted along the center line of the tree belt. The finished grade of such tree belts shall have a slope of one-half (1/2) inch per foot toward the roadway. Where unusual physical land characteristics of topographic conditions exists, and where no sidewalk is to be constructed, the Planning Board may approve the construction of a tree belt of a greater slope with the finished slope not projecting above a plane sloped four (4) horizontal to one (1) vertical from the back of the curb.
 - a. The top six (6) inches of tree belt shall consist of good quality loam extending to the right-of-way, screened, raked, and rolled with lawn grass seed applied in sufficient quantity to assure adequate coverage, rolled when the loam is moist. Spreading of loam and seed shall be in accordance with Sections 751 and 765 of the Standard Specifications.
 - b. There shall be no small trees or shrubs, and no herbaceous plants taller than one foot, within the tree belt.
2. Street shade trees shall be on both sides of subdivision streets in the tree belt when possible and otherwise within the right-of-way or within five (5) feet of the right-of-way. There shall be one tree planted an average of every thirty (30) feet of street frontage along each lot and not less than two trees per lot. Any mature deciduous shade trees preserved may be applied toward this average.
3. Street trees shall not be permitted within twenty-five (25) feet of the curb line of the intersection of two streets.
4. Trees shall be mature deciduous trees or newly planted trees no less than three inch (3") caliper at time of installation. Clumping is permitted, using both sides of the sidewalk for tree planting, in order to frame or enhance a view. The center of the tree should be four feet from pavement or curbs.
5. Street trees shall be deciduous shade trees, including, but not limited to, those listed in the table below. No more than 35% of any one species shall be used throughout the subdivision.
6. Street trees shall have a minimum caliper of three inches (3") measured six inches (6") above soil root ball. They shall be single-stemmed with a single, straight leader. All tree species must meet American Association of Nurserymen Standards for the types and sizes specified. These standards shall be included on the detail sheets.
7. The developer shall install on each lot the street trees specified on the approved plans prior to the issuance of the final Certificate of Occupancy. Trees must survive one year after planting prior to the release of warranty performance guarantees.
8. Planting operations and requirements for street trees shall be in accordance with the American

Association of Nurserymen Standards for Planting and shall have a two (2) year growth warranty. These standards shall be indicated on detail sheets.

A Selection of Approved Street Tree Species

Botanical Name	Common Name	Notes
<i>Acer rubrum</i>	Red Maple	Low salt areas
<i>Acer saccharum</i>	Sugar Maple	In special circumstances, low salt, wide root zone areas
<i>Cercidiphyllum japonicum</i>	Katsura tree	Prune to single stem, moist soils
<i>Fraxinus pennsylvanica</i>	Green Ash	
<i>Ginkgo biloba</i>	Ginkgo	Male only
<i>Gleditsia triacanthos</i> var. <i>inermis</i>	Thornless Common Honeylocust	
<i>Nyssa sylvatica</i>	Black Gum, Tupelo	Moist soils
<i>Quercus coccinea</i>	Scarlet Oak	
<i>Quercus robur</i>	English Oak	
<i>Quercus rubra</i>	Red Oak	Will tolerate poor, sandy soils
<i>Platanus x acerifolia</i>	London Plane Tree	
<i>Tilia cordata</i>	Littleleaf Linden	
<i>Ulmus americana</i> 'Valley Forge'	Valley Forge Elm	
<i>Ulmus americana</i> 'Princeton'	Princeton Elm	
<i>Ulmus parvifolia</i> 'Allee'	'Allee' Lacebark Elm	
<i>Zelkova serrata</i>	Japanese Zelkova	

7:11 Soil Test-Borings

The work shall consist of making soil-test borings, obtaining and preserving acceptable samples, preparing a report of the results obtained and delivery of the report and samples in conformance with appropriate provisions of Section 190 of the standard Specifications and these Rules and Regulations.

7:12 Construction (Stakes) Staking

Developers shall employ, at their own expense, a professional engineer or a registered land surveyor to set all lines and grades in a manner satisfactory to the City Engineer and in accordance with the provisions of Section 5:07 of the Standard Specifications.

7:13 Site and Earthwork

1. All materials and construction methods used for roadway excavation and embankments shall conform to Section 100 of the Standard Specifications.
2. All natural features, such as large trees, watercourses, scenic points, historic plots, and similar community assets shall be preserved. It is the opinion of the Planning Board that this protection and preservation will add to the attractiveness and value of the subdivision.
3. The entire area within the right-of-way lines, except for trees and other vegetation intended to be preserved, shall be cleared and grubbed of all stumps, brush, roots, and like material. All rock or masonry with a maximum dimension over three inches and within six inches of the top of sub-grade shall be removed. Trees intended to be preserved shall be protected by suitable boxes, fenders, or wells as appropriate.
4. In a cut area all material shall be removed to sub-grade. All unsuitable material, such as peat, highly organic silt of clay, or any other material that, in the opinion of the City Engineer, is considered to be detrimental to the sub-grade, shall be removed and shall be replaced by bank-run gravel, and be brought to proper compaction with a ten-ton roller.

5. Topsoil, defined as fertile, friable, natural material which has demonstrated vegetative growth, and found on the site, can be used within the right-of-way, provided it conforms with the relative provisions of Section 751 of the Standard Specifications.
6. In fill areas the embankment shall be ordinary borrow specified and placed, as in the relevant provisions of Section 150 of the Standard Specifications.
7. Before the ground base course is spread, the sub-grade shall be shaped to a true surface conforming to the proposed cross section of the road. Where fill is required, it shall be placed in layers not deeper than twelve (12) inches loose, except the last layer which shall not exceed four (4) inches in depth. The fill shall be ordinary borrow specified and placed as in the relevant provisions of Section 150 of the Standard Specifications. A tolerance of one-half (1/2) inch above or below finished sub-grade will be permitted, provided this difference is not maintained over fifty (50) feet and the required cross section is maintained.
8. The sub-grade shall be classified as follows:
 - a. Poor. Sub-grade soils which become quite soft and plastic when wet. Included in these are soils having appreciable amount of clay, silt and fine sand.
 - b. Medium. Sub-grade soils which retain a moderate degree of firmness when saturated. Included are such soils as fine sands, silty sands, and sandy gravel with some silts and clays.
 - c. Good to Excellent. Sub-grade soils which retain a substantial amount of their load-supporting capacity when saturated shall be classified as good. Included are clean sands and gravel free of detrimental amounts of plastic silts and clays. Sub-grade soils unaffected by moisture shall be classified as excellent. Included are clean and sharp sands and gravel, particularly those that are well graded.
9. Inspections shall be required upon completion of the sub-grade by the City Engineer.

7:14 **Pavement Structure**

1. The pavement structure shall be constructed in accordance with applicable provisions of Section 400 of the standard Specifications and the following:
 - a. Sub-Base. The sub-base shall be gravel borrow meeting M1.03.0 Type a specifications, except that the top four (4) inches shall be gravel borrow meeting M1.03.1 specifications. A tolerance of one-half (1/1) inch above or below finished sub-grade will be permitted, provided this difference is not maintained over fifty (50) feet and the required cross section is maintained. The gravel borrow shall be laid to a depth indicated below.
 - b. Binder Course. The binder course shall be asphalt concrete, in accordance with Section 420, Class I Bituminous Concrete Pavement type I-1 (Binder Course Mix). It shall be laid to a depth indicated below.
 - c. Surface Course. The surface course shall be asphalt concrete, in accordance with Section 460, Class I Bituminous Concrete Pavement Type I-1 (Top Course Mix). It shall be laid to a depth indicated below.

2. **Required Depth of Pavement Sections:**

	Sub-grade Support Classification		
	Poor	Medium	Good to Excellent
Surface Course (all subdivisions)	2"	2"	2"

Type I subdivision Binder Course	2"	2"	2"
Type II subdivision Binder Course	3"	3"	3"
Subbase (all subdivisions)	18-24"	12-18"	12"

3. Inspections shall be required by the City Engineer upon completion of each layer of sub-base and the binder and surface courses.

7:15 Shoulders

Shoulders shall not be allowed in place of sidewalks, curbs and grass strips, as shown in the street cross section (§7:01(6)) unless permission is specifically granted by the Planning Board.

7:16 Curbs

1. For Type II subdivisions all curbing shall be granite Type VB. Granite curb corners Type A shall be installed at all driveways.
2. In Type I subdivisions curbing shall be bituminous concrete curb Type 2 (6" reveal), except that all street intersection radii and the outside radius of cul-de-sacs shall be constructed with granite curb Type VB. The outside radius of the island in all cul-de-sacs shall be constructed with granite edging Type SB having a minimum thickness of 4". (See §7:01(6).)
3. Granite curb corners, wherever required, shall be Type A (see Section 8:07).
4. Granite curb inlets (Type VB) shall be built against all catch basin frames and shall be installed true to the horizontal and vertical alignment as shown on the plans.
5. All bituminous berms shall be placed on the bituminous binder.
6. The type and method of installation of bituminous berm, granite curb, granite edging and granite curb corners shall conform to the relevant provisions of Section 470 and 500 respectively of the Standard Specifications.
7. Under special conditions, specially constructed berms or gutters may be required by the Planning Board.

7:17 Driveway Approach Areas and Aprons

1. Driveway approach areas from the edge of the public roadway to the edge of the public right-of-way shall be constructed in accordance with standards and permits set by the City's Department of Public Works.
2. The nearest line of any driveway shall not be closer than fifty (50) feet from the intersection of any two (2) streets.
3. The Planning Board may require the developer to construct certain driveway approach areas during the construction of the subdivision, in order to insure that certain physical characteristics, such as swales, steep side slopes, etc., do not get disturbed after the end of construction.

In addition, the developer shall make provisions for driveway openings in all cases where granite curb has been used, i.e., around all cul-de-sacs. Granite curb corners Type A shall be used at all driveway openings. The developer shall follow the regulations as stated in #1 and #2 above in constructing said driveways.

4. Driveways of Type II subdivisions shall be shown on the Definitive Plans.

7:18 Side Slopes

1. The area in back of the required grass strip, or behind the sidewalk when one is required, shall be graded to a point where it coincides with the finished grade of abutting lots in such a manner that no portion thereof within the right-of-way lines of the street will project above a plane sloped four (4) horizontal to one (1) vertical.
2. The top six (6) inches of side slopes shall consist of good quality loam extending to the right-of-way, screened, raked, and rolled with at least a 100-pound roller to grade. The loam shall be seeded with lawn grass seed applied in sufficient quantity to assure adequate coverage, rolled when the loam is moist. Loam and seed shall be spread in accordance with Sections 761 and 765 of the Standard Specifications.

7:19 Street Name Signs

Street name signs shall be provided to the applicant by the Department of Public Works. The applicant shall pay a fee per sign to the Department of Public Works (§10:06). The applicant shall provide a the posts and erect them at each intersection near the inside curb edge, at locations to be approved by the Engineer. The installations shall be done in accordance with the sketch shown below:

typical street sign installation here

7:20 Monuments and Markers

1. Granite or reinforced concrete monuments six (6) feet in length, dressed to six (6) inches at the top with a three-eighths (3/8) inch drill hole in the center, and not less than six (6) inches square at the bottom shall be set to finish grade as shown on plans.
2. No permanent monuments shall be installed until all construction which could destroy or disturb the monuments is completed.
3. Monuments shall be installed at all street intersections, at all points of change in direction, or curvature of streets, and at other points as shown in the Definitive Plan and where, in the opinion of the Planning Board, permanent monuments are necessary, with documentation of the horizontal metric coordinates of the center point of the monument provided on as built-plans (using Massachusetts State Plane Coordinates, NAD 1983). All monuments shall be installed under the direction of a Massachusetts registered land surveyor.
4. All monuments shall be installed prior to any release of the performance guarantee and will be inspected by the DPW Director.

7:21 Bridges

Bridges shall be designed in accordance with the Specifications.

7:22 Underground Utility Systems

All utility distribution systems, public or private, shall be placed underground.

7:23 Utility Installation

The installation of public utilities shall conform to the standards in the following sections:

1. The applicant shall employ, at his own expense, an engineer to set all lines and grades in a manner satisfactory to the Planning Board.
2. All utility lines shall be installed with the minimum cover as shown in §7:01(6).
3. Sewers shall be laid to true line and grade.
4. Electric, telephone, cable TV, fiber optic, and all other conduits shall be installed underground beneath the grass strip with a minimum cover, as shown in §7:01(6).
5. Width of trench at the pipe or conduit shall be equal to four thirds (4/3) diameter of the pipe or of conduit, plus eighteen (18) inches.
6. Sheet piling shall be used, whenever necessary, upon the direction of the Engineer and in conformance with relevant provisions of Section 950 of the Standard Specifications.
7. Pipe and conduits shall be surrounded by six (6) inches of compacted screened gravel if set in earth, and twelve (12) inches if set in rock. In rock, clay, or peat excavation, trenches shall be excavated to a depth of twelve (12) inches or more below the bottom of any water pipe, storm drain, or sewer and filled with bank-run or select gravel, whichever is approved by the City Engineer.
8. Back-fill shall be compacted to ninety (90) percent of the maximum dry density of the material as determined by the American Association of State Highway Officials, Designation T-180D.
9. The water and sanitary sewer systems shall be tested and approved prior to installation of base course(s) and pavement.
10. All lot connections shall be installed to the right-of-way line, and marked or surveyed so as to be easily located in the future.

7:24 Drainage

1. The construction of the drainage system, including methods of construction and quality of materials used, shall be in conformance with the definitive plan, Section 200 of the Standard Specification and the Northampton Stormwater Ordinance (if any) adopted to implement the National Pollution Discharge Elimination System Stormwater Phase II requirements. For projects disturbing over one acre of land, a Notice of Intent (NOI) must be submitted to U.S. EPA for coverage under the NPDES Construction General Permit, or to the City of Northampton if EPA grants local approval for these permits, seven days prior to start of construction and a Storm Water Pollution Prevention Plan

(SWPPP) must be prepared and implemented. Copies of the NOI and SWPPP must be submitted to the DPW prior to the start of construction.

2. The design capacity of the drains (closed drainage systems and pipes) shall be determined by the rational method, unless the project engineer exhibits satisfactory evidence that another approach is more appropriate for the specific case. The project engineer shall design the drainage system in accordance with natural drainage boundaries of the total contributing drainage area, using a minimum of a ten (10) year design frequency storm. Where, in the opinion of the Planning Board, flooding would produce property damage or a safety hazard, the design frequency storm shall be increased to twenty-five (25) years. A one-hundred (100) year design frequency storm shall be used for all bridge openings and major culverts. Drainage calculations and a list of all assumptions used for calculating the information shall be submitted with the Definitive Plan. A Hydrology Study should include:
 - Plan of watershed drainage basin
 - Location of any and/or all detention basin structures within the watershed, especially if located on a stream if it will be used to take drainage away.
 - Generally, (through the use of GIS) an estimate of amount of impervious surface in watershed)
 - Identification of possible downstream restrictions/obstructions (including sizes of culverts under roadways)
 - Name and locus of receiving waters at end
3. Drainage systems, including detention, retention, and infiltration, must be designed to prevent any increase in peak flows for the one (1) or two (2), ten (10), and one-hundred (100) year Natural Resource Conservation Service (NRCS) design storms. TR-55 (or TR-20 with all inputs and outputs shown) should be used for calculating drainage systems. In addition, drainage systems should include water quality/settling basins that detain the stormwater draining off the site in a 4/10 inch rain storm for an average of at least six hours. Need to mimic existing drainage patterns & flows, not release peak prior to normal peak flow, unless there is a documented problem and this will not cause a direct downstream impact
4. Pipe drains, where used, shall have a minimum diameter of twelve (12) inches in Type I subdivisions, and fifteen (15) inches in Type II subdivisions, and shall be laid in true line. All drainage pipe shall be reinforced concrete pipe, ACCM pipe, (14 gauge), or other approved equal or appropriate strength. Rubber gaskets ("O" rings) shall be used for all pipe joints of the reinforced concrete pipe mentioned above. The rubber gaskets ("O" rings) shall be of approved composition, size and shape to provide for a proper joint per the manufacturers specifications..
5. Where feasible, stormwater should be directed to enter an artificial wetland or stormwater treatment facility before entering an open stream channel. Stormwater shall not be permitted to cross any roadway upon the surface but must be piped underground. Stormwater runoff shall not be permitted to flow upon the road surface for a longer distance than three hundred (300) feet before it enters the underground system. Catch basins shall be located on both sides of the roadway on continuous grades at intervals of not more than three hundred (300) feet, at all sags in the roadway, and near the corners of the roadway at intersecting streets.
6. Where adjacent property is not subdivided and no public drain is within four hundred (400) feet, adequate provisions shall be made for the detention of surface drainage within the boundaries of the subdivision. When that is not feasible, proper connections shall be made with any existing public drainage system within four hundred (400) feet of the subdivision, if that system has the capacity to absorb the flows from the project area. Where adjacent property is not subdivided and no public drain is within four hundred (400) feet, adequate provisions shall be made for the detention of surface drainage within the boundaries of the subdivision.
7. No open water body or pond or wet or swampy area shall be filled in unless it can be shown to the Planning Board that provision has been made in the lower drainage system to account for the removal of the storage area represented by the former wet or swampy area. In addition, permits and approval must be secured from the appropriate City, State, and/or federal authorities.
8. Where open stream channels exist within a subdivision, adequate provision shall be made for properly maintaining them or for properly enclosing them, if absolutely necessary. It is the City's

- intent to preserve and maintain the natural features of such streams and any development should be planned accordingly.
9. Manholes and catch basins shall be pre-cast, cast in place or block, and a typical detail of such, noting materials, dimensions and construction details, shall be part of the Definitive Plan.
 10. Iron casting for manhole frames and covers and catch basin frames and grates shall be in accordance with Massachusetts Department of Public Works Standards.
 - a. Manhole covers shall have three (3) inch lettering to read "DRAIN". In addition, manhole covers shall be 26" in diameter.
 - b. Catch basin grates shall be square, type F, as manufactured by LeBaron Foundry Company, Box 746, Brockton, MA 02403, or other approved equal.
 11. Drain manholes shall be located at every change in grade or direction, of the drainage line, at catch basis connections, and shall not exceed three hundred (300) feet apart in a continuous system.
 12. All catch basins shall connect directly to drain manholes.
 13. All catch basins shall have four (4) foot sumps. All catch basins shall have gas traps with removable hoods.
 14. If roadway sub-drainage is required, rigid SDR 35, slot perforated corrugated plastic (ADS) surrounded by stone-perforated PVC pipe of appropriate size shall be used. Installation and materials shall conform to the provisions of Section 260 of the Standard Specifications and the sketch shown in §7:01(6).
 15. If lot sub-drainage (i.e., foundation drains) is required, rigid six (6) inch PVC or ACCM pipe shall be used within the public layout. The method of connecting said sub-drainage to the public drainage system shall be approved by the DPW Director prior to construction.
 16. The maximum allowable slope on a drainage system for reinforced concrete pipe shall be seven (7) percent. The maximum allowable difference in elevation between inlet and outlet pipes in a drain manhole shall be one (1) foot. If greater slopes than seven (7) percent are necessary, ACCM pipe of appropriate size shall be used.
 17. The maximum depth of any portion of the storm system shall be ten (10) feet.

7:25 **Sanitary**

1. Projects must receive a Massachusetts Department of Environmental Protection (DEP) BRP approval and provide copies of said approval to the Northampton Department of Public Works. Any work performed prior to DEP BRP approval may be subject to DEP fines and enforcement and is at the applicant's own risk and peril. In addition, an application to DPW for sewer connections must be submitted concurrent with the definitive subdivision plans.
2. Provision shall be made, to the satisfaction of the Planning Board, for future connection of sewer lines to property boundaries to accommodate future development, including design, layout, and sizing.
3. The construction of the sanitary system, including methods of construction and quality of materials used, shall be in conformity with the Definitive Plan, Section 230 of the Standard Specifications and the specifications of the Department of Public Works. The City will only accept gravity sewerage systems unless DPW approval is specifically granted.
4. If a public sewerage system is located within one thousand (1000) feet of the subdivision, the applicant shall connect all lots to the public sewerage system. & make provisions for a pump station if required.
5. If a planned public sewerage system has not yet been installed to within one thousand (1,000) feet of the proposed subdivision, the applicant shall install private on-lot sewerage systems. The latter shall be installed in conformity with applicable codes, rules and regulations of the Commonwealth of Massachusetts and the Northampton Board of Health. The Planning Board may require the installation of "dry sewers" in conformance with these regulations in any street where, in the Planning Board's estimation, sanitary sewers will become accessible within a period of five (5) years. This is dependent upon capacity of treatment plant & our state permit.
6. Sanitary sewer mains shall have minimum diameter of eight (8) inches and shall be PVC, bedded in 3/4" stone to spring line of pipe, or other approved equal.
7. Sanitary sewer services shall be six (6) inch PVC, encased with six (6) inches of 3/4" stone, or other approved equal and shall be extended to the edge of the right-of-way.

8. The minimum slope for sanitary sewer pipes shall be such that a minimum design flow velocity of two and one-half (2 1/2) feet per second is achieved.
9. The maximum slope for sanitary sewer pipes shall be seven (7) percent. Drop sanitary sewer manholes shall be allowed only with outside "chimneys" & shall be required for drops of 2' or greater.
10. Manhole cover shall have three (3) inch lettering to read "SEWER" and shall be 26 inches in diameter.
11. The following requirements shall be met for the design and construction of sewerage systems in relation to water systems:
 - a. Horizontal Separation: Whenever possible, sewers shall be constructed in the center of the street. A lateral separation of ten (10) feet between the sewer and water mains shall be maintained and the elevation of the top (crown) of the sewer shall be at least eighteen (18) inches below the bottom (invert) of the water main. Laterals to houses should maintain this too.
 - b. Vertical Separation: Whenever sewers must cross under water mains, the sewer shall be laid at such an elevation that the top of the sewer is at least eighteen (18) inches below the bottom of the water main. When the elevation of the sewer cannot be varied to meet the above requirement, the water main shall be relocated to provide this separation or reconstructed with mechanical-joint pipe for a distance of ten (10) feet on each side of the sewer. One full length of water main should be centered over the sewer so that both joints will be as far from the sewer as possible.
 - c. When it is impossible to obtain proper horizontal and vertical separation as stipulated above, both the water main and sewer shall be constructed of mechanical-joint cast-iron pipe and shall be pressure tested to assure water-tightness.
12. In the Water Supply Protection Zoning Overlay District, all sanitary sewers shall be built with Ductile Iron Pipe or equal, with leak test standards the same as those for water systems, and water tight sanitary manholes.
13. Leakage Test For A Gravity System
 - a. The sewer shall be made as nearly watertight as practicable and leakage measurements shall be made as directed and under the supervision of the Project Engineer with a minimum of 48 hour notice to DPW for oversight.
 - b. Whenever possible, the leakage tests shall be made at a time when the ground water is at least one (1) foot above the top of the pipe of the highest section of work being tested.
 - c. Leakage into the sewer shall not exceed five hundred (500) gallons per inch diameter in twenty-four (24) hours per mile of sewer.
 - d. Where the ground water level is less than one (1) foot above the top of the pipe, the sewer shall be subjected to an internal pressure by plugging the pipe at the lower end and then filling the sewers and the higher manhole with clean water to a height of two (2) feet above the top of the pipe. Leakage out of the sewer will be measured by the volume of water necessary to maintain the water level in the higher manhole. Leakage out of the sewer shall not exceed five hundred (500) gallons per inch diameter per twenty-four (24) hours per mile of pipeline.
 - e. Should the sections under test fail to meet the requirements, the contractor shall do all the work of locating and repairing leaks and retesting as the DPW Director may require.
 - f. The contractor shall furnish suitable test plugs, water, pumps, and appurtenances, and all labor required to conduct the tests properly on the sewer.
 - g. Maximum depth of any portion of the sanitary system shall be ten (10) feet.
14. Mandrel (Go-No-Go) Test must be performed on all sewer pipes.
15. Leakage test for a forced main must meet approval of DPW Director.

7:26 Water

1. Provision shall be made, to the satisfaction of the Planning Board, for future connection of waterlines to property boundaries to accommodate future development, including design, layout, and sizing.
2. Water mains, appurtenances and service connections shall be installed in conformity with the relevant provisions of Section 300 of the Standard Specifications and the specifications of the Northampton Water Department.

3. Water mains shall have a minimum cover of five (5) feet and a maximum cover of five and one-half (5 1/2) feet.
4. Water mains shall have a minimum diameter of eight (8) inches in Type I, and twelve (12) inches in Type II subdivisions.
5. Water mains shall be ductile iron, Class 52, push-on or mechanical-joint type with wedges at connections for conduction.
6. All fittings shall be ductile iron (mechanical joints). Tapping sleeve and valves (TSV) shall have iron bodies and mechanical joints.
7. All water mains shall be looped.
8. Provisions of Section 7:25(11) shall become part of this section.
9. Hydrants shall be located at each street intersection and not more than five hundred (500) feet apart in Type I subdivisions, and not more than three hundred fifty (350) feet apart in Type II subdivisions.
10. At water main intersections, all lines will be valved and the maximum spacing between valves on any one main shall be seven hundred fifty (750) feet.
11. Whenever possible, a hydrant should be located on any section of a water main which can be isolated by valves.
12. Hydrants shall be Kennedy "Guardian", five and a quarter (5 1/4) inch open left valve, five and a half (5 1/2) feet buried. Extensions shall not be allowed on hydrants.
13. A hydrant shall be placed five (5) feet from the edge of the pavement. A valve shall be installed between the hydrant and the main.
14. Corporation shall be one (1) inch "Red Hed" brass, iron pipe threaded.
15. Curb stops shall be one (1) inch "Red Hed" brass, compression ball valve, without waste. Curb boxes shall be "Buffalo" type with sliding top extension.
16. Thrust blocks shall be installed according to relevant provisions of Section 300 of the Standard Specifications. All thrust blocks shall be inspected and approved by the Northampton Water Department.
17. Water services from curb box to the meter for any proposed structure shall be at least one (1) inch copper (type k).
18. All valves shall open right.
19. All pipe lines shall be pressure tested under the supervision of the Northampton Water Department. The test shall be done after all the services have been installed to the edge of the right-of-way. The water main and water services should hold a pressure of 150 p.s.i. for a minimum of three (3) hours. In addition, the developer shall conduct, at his own expense, flow tests on the completed water system to insure that the fire flow requirements (see Section 6:04.04) have been met. Said flow tests shall be conducted under the supervision of the DPW Director or designee.
20. All potable water lines shall be disinfected according to AWWA designation C601-68.
21. Fire flow requirements must be met in accordance with the Insurance Services Office (ISO) recommendations, the requirements of the Fire Department and the Board of Public Works, and the standards included below.
 - a. The water system must be capable of delivering the required fire flows shown below, in gallons per minute (GPM), at twenty (20) pounds per square inch (PSI) during periods of average maximum daily demand. The requirements below are based on the minimum lot frontage requirements for the district in the Northampton Zoning Ordinance:

<u>Minimum frontage requirements</u>	<u>Fire Flow-GPM</u>
over 99 feet	500
70 to 99 feet	750
11 to 69 feet	1,000
10 or less feet	1,500
 - b. The water system must be capable of delivering the above fire flow for two (2) hours.
 - c. The water system must be designed to prevent the possibility of backflow and potential infiltration into the system during periods of fire demand.
 - d. Lower fire flows may be allowed, with a waiver, for fully sprinkled buildings when adequate water storage to serve the sprinkler exists.
22. Where a public water system is located within two thousand (2,000) feet of the subdivision, the

subdivider shall connect to the public water system. Where the public water system is not located within two thousand (2,000) feet of the subdivision, the subdivider must:

- a. Install a private on-lot water system (a well) for each lot.
- b. Provide a system to insure that the above fire flow volume, but not distribution system, requirements are met and the system recharges in a reasonable time period to be available for future fire flow requirements. The Planning Board may require a distribution system if it feels it is necessary to provide adequate hydrants. If a private system is used, there must be adequate means provided for insuring the system is maintained, operated and funded without taxing City resources. Such means shall include backup pumps and equipment, escrow accounts, long term maintenance contracts, and authority to place liens on properties not contributing to the fund.
- c. The Planning Board may require the installation of "dry water mains" in conformity with these regulations in any streets where, in the Planning Board's estimation, municipal water service will become accessible within a period of five (5) years.

7:27 Other Utilities

Materials and construction methods shall be in accordance with the requirements of the involved utility company after said requirements have been approved by the City Engineer and appropriate City departments.

7:28 Retaining Walls

Retaining walls shall be designed in accordance with the Commonwealth of Massachusetts Department of Public Works Bridge Manual, including all amendments, and shall conform to the applicable subsections of the Standard Specifications.

7:29 Cleaning Up

The entire area must be cleaned up within thirty (30) days of completed construction and prior to the completion of the subdivision so as to leave a neat and orderly appearance free from debris and other objectionable materials. All catch basins shall be properly cleaned out.

7:30 Project Construction

All streets, underground utilities, shoulders, curbing, sidewalks, planting strips, side slopes, street name signs, monuments and markers, drainage systems, water systems, sewerage systems, and easements shall be obtained and installed by the subdivider. Record Plans and Street Acceptance Plans are a part of required improvements to document their location and type. The obtaining and installing of these improvements shall be in accordance with these Regulations.

SECTION 8:00 ADMINISTRATION

8:01 Inspection and Control

1. Inspection shall be made and the project shall be certified in writing to the Planning Board by the City Engineer or the City Engineer's authorized designee, or by a registered professional engineer chosen by the Planning Board. In the case where roadways will remain under private ownership, the above mentioned certificate or statement shall be supplied by the project's registered professional engineer.
2. The Planning Board shall notify the City Engineer and the developer in writing that the subdivision has been (a) approved; and (b) all the necessary approved plans and documents have been recorded at the Hampshire County Registry of Deeds, therefore, construction can commence. Prior to commencement of construction, the developer, the project's engineer/surveyor, and the designated contractor shall attend a pre-construction conference and be arranged by the City Engineer. Construction SHALL NOT COMMENCE ON ANY PORTION OF THE SUBDIVISION UNTIL THIS CONDITION HAS BEEN MET.
3. The developer shall notify in writing the Department of Public Works and the Planning Board two (2) days in advance of the date of commencement of construction and subsequent phases of construction so that proper inspection can take place.
4. At the points hereinafter indicated, the construction of required streets and other improvements shall be inspected.
 - a. The installation of underground utilities and services shall be inspected by the City Engineer of the Board of Health, as appropriate, or their appointed representatives before the back-filling of trenches or other covering of structures.
 - b. The curbing shall be inspected by the City Engineer prior to the placement of the top course of bituminous concrete surface.
 - c. The roadway shall be inspected by the City Engineer upon completion of the sub-grade gravel base course, binder and surface course prior to each required construction step.
 - d. The sidewalk shall be inspected by the City Engineer upon completion of the sub-grade gravel base course, binder and surface course prior to each required construction step.
 - e. Following the completion of all the improvements required by Sections 7:00 the subdivision shall be inspected by the City Engineer.
5. Unless each phase of the work, including the materials used on the project, have been inspected by the City Engineer, no further work shall be done on any other phase of construction.
6. Inspections shall be requested by the applicant two (2) working days in advance by notice to the City Engineer.
7. The cost of inspection shall be paid by the applicant according to the fees in effect during construction. **(Amended April 11, 1991)**
8. If the City forces cannot perform the inspection due to the size or complexity of the project or the unavailability of personnel, the City may retain the services of a private engineer to perform such inspection service. The total cost of such services, plus ten (10) percent to pay the City's administrative costs, shall be paid by the applicant.

9. Inspections by the City Engineer will in no way relieve the developer, contractor or project engineer of responsibility in insuring that all materials and all construction meet all standards as stated in these Rules and Regulations.
10. After the installation of the complete water and sanitary systems and prior to the placement of any gravel on the proposed roadway, the developer shall present ties to fixed and easily identifiable objects and elevations (whenever applicable) on 4"x 6" cards of all appropriate components of said systems (such as bends, trees, gates, corporations, service boxes for water systems and ways and of sanitary services for sanitary sewer systems), so that the Department of Public Works will be able to physically locate said components in the future. Said cards are to be prepared by the project's engineer. (See also "Record Plans".) Upon approval of the above by the Department of Public Works, the Planning Board shall instruct the developer in writing to proceed with the construction. **(Amended December 14, 1989)**
11. The developer shall present proof, at his own expense, by a qualified person/firm, to be approved by the City Engineer, that the gravel to be used on the project meets State specifications. **(Added December 14, 1989)**
12. The water main shall be tested by the developers or their designee at their own expense, for adequate fire flow. The fire flow test shall be conducted by a Massachusetts Registered Professional Engineer under the supervision of the Department of Public Works and at a time to be chosen by the latter. **(Added December 14, 1989)**

8:02 Interpretation

Whenever these Rules and Regulations made under the authority hereof differ from those prescribed by any local Ordinance or other local regulations, the provision which imposes the greater restriction or the higher standard shall govern.

8:03 Enforcement by Denial of Building Permits

1. The Building Commissioner of the City of Northampton shall issue no building permits for any of the lots of any subdivision unless notified in writing by the Planning Board that the approved subdivision plans and documents have been recorded at the Hampshire County Registry of Deeds. Said notice shall be sent to the Building Inspector within seven (7) calendar days after the date of said recording.
2. The Building Commissioner of the City of Northampton shall not issue an Occupancy Permit for any of the lots of the subdivisions unless notified in writing by the Planning Board that the subdivision meets the City's Fire Flow requirements. It is strongly suggested that the water main and related services be constructed as soon as possible, to insure compliance with these regulations. **(Amend 12/14/89)**

8:04 Material Testing

The developer shall test, upon the request of the City Engineer and at the developer's own expense, all materials to be used in the construction of the public ways. The tests shall be conducted by qualified firms/individuals that have been approved by the City Engineer.

8:05 Fees

1. Preliminary Subdivision Plan: \$1,000.00 for Type II and \$600.00 for Type I plus \$75.00 per unit. The Office of Planning and Development may reduce this fee for projects or parts of projects designed to provide affordable housing.
2. Definitive Subdivision Plan: The greater of \$3,000.00 OR \$8.00 per linear foot of proposed roadway centerline of construction. For residential subdivisions with at least five

percent affordable housing (as defined in the zoning ordinance) the fee shall be half that calculated herein. The Office of Planning and Development may further reduce this fee for projects or parts of projects designed to provide additional affordable housing.

3. Definitive Plan if no preliminary plan filed The greater of \$4,600.00 OR \$14.00 per linear foot of proposed roadway centerline of construction. For residential subdivisions with at least five percent affordable housing (as defined in the zoning ordinance) the fee shall be half that calculated herein. The Office of Planning and Development may further reduce this fee for projects or parts of projects designed to provide additional affordable housing.
4. Minor Subdivisions: \$400 PLUS \$10.00 per linear foot of proposed roadway. (Minor subdivisions consist of only one lot.)
5. Amendment to Definitive Plan: \$500.00 Fee waived when material requested by Planning Board is not included in §6:02, §6:03, or §6:04.
6. Inspection Fee: By City: The Inspection Fee in effect during construction, which is subject to change by the Planning Board, shall apply. Current Inspection Fee: \$35.00/ hour or \$250.00 per day for every day that construction is taking place. If no construction is to take place on a particular day, the developer shall notify the Department of Public Works at least one day in advance, otherwise the Department shall assume that an inspection is necessary and shall so charge the developer. Said fee shall be paid monthly and shall be received by the Department of Public Works no later than the tenth day of every month for any month during which construction took place. See also Inspection and Control, above,
7. Record Plans: No fee.
8. Street Acceptance: No fee except applicable ANR.
9. ANR Plan/Form A: \$150.00 per plan sheet plus \$50.00 for each newly created lot
10. Street Signs: \$75.00 per street sign. Payable to DPW
11. Subdivision Regulations: Free at www.northamptonplanning.org. For purchase as local copy shops.

Fees last amended 5/12/2005

Note: A separate fee may apply for review of stormwater/drainage analysis for projects with over one acre of disturbance.

8:06 Record Plans

The function of the record plan is to facilitate the City in locating all components of the underground utilities within a street and/or public easements, so that the municipal utilities can be maintained, repaired and reconstructed in the future. In preparing said plans, the project's professional engineer can make certain assumptions, such as, but not limited to: a sewer main was laid in a straight line between successive manholes, all materials (i.e., size and type of water pipe) are the same as what was shown on the approved construction plans, unless otherwise notified by the DPW Director, etc.

Developer shall submit one set of originals and two sets of prints of the record plan which shall include the following:

- A. Stamped by project's registered professional engineer
- B. Same scale and size as originals
- C. Plans to show:

1. Edge or road, type of curbing, driveways in existence at date of preparation of plan
2. Right-of-way sidelines and lot property lines shown at least 100' from frontage (metes and bounds not necessary)
3. Sanitary Sewer
 - a. Certification that sanitary sewer was installed prior to installation of a base coat or within 30 days of the raising of the structures.
 - b. Verification by DPW that installation has been accepted by DPW.
 - c. Each component of sanitary sewer system to be clearly identified and marked. Stationing of manholes based on center-to-center distances between successive ones with lowest/beginning manholes being a 0+00 station
 - d. Type, size and class of pipe between each manhole
 - e. Location of sanitary sewer wyes with distances from center of downstream manhole
 - f. Location of end of sanitary sewer service stubs at property lines (each location, ties to fixed and easily identifiable objects and elevations of end of pipe (City datum) to be placed on a 4"x 6" card and submitted to the Department of Public Works prior to placement of gravel on roadway). (Amended December 14, 1989)
 - g. Type, size and class of sanitary sewer service pipe
 - h. Location of, if any, pumping stations, siphons, etc.
4. Storm Sewer
 - a. Certification that sanitary sewer was installed prior to installation of a base coat or within 30 days of the raising of the structures.
 - b. Verification by DPW that installation has been accepted by DPW
 - c. Each component of storm sewer system to be clearly identified and marked
 - d. Stationing of manholes based on center-to-center distances between successive ones with lowest/beginning manhole having a 0+00 station
 - e. Type, size and class of pipe between each successive manhole and between manholes and catch basins
 - f. Location of individual house/lot sub-drains, if any, within the proposed road layout. Location of connections of said sub-drains to storm system (i.e., distance from center of downstream manhole to connection, etc.). Location, ties to easily identifiable objects and elevation (City datum) of end of sub-drains at property line. (Each location, ties and elevation to be placed on a 4"x 6" card and submitted to the Department of Public Works prior to placement of gravel on roadway. Type, size and class of sub-drains.
 - g. Location, size and class of roadway curtain drains, if any, within proposed layout.
 - h. Detention ponds, including elevations of inlet and outlet structures and pond bottom.
5. Water System
 - a. Certification that sanitary sewer was installed prior to installation of a base coat or within 30 days of the raising of the structures.
 - b. Verification by DPW that installation has been accepted by DPW
 - c. Each component of water system to be clearly identifiable and marked
 - d. Location, ties to fixed and easily identifiable objects, of all water gates, water service boxes, corporations, ends reducers, T.S. & V., etc. (each location and ties for each of the above to be placed on a 4"x 6" card and submitted to the Department of Public Works prior to placement of gravel on roadway).

Location, type and class of water main, hydrant branches, water services, etc.
6. Public/private Utilities-- It shall be the responsibility of the developer to insure that each public utility (gas, electric, telephone, cable TV) provides all the necessary information to the person preparing the record plan, so that all the components of each system can be plotted on the record plan. Components of said systems which can be identified on the ground such as gates, hand-holes, transformers, etc. shall be verified by project's professional engineer.
7. Profile showing centerline of roadway and complete profile of storm and sanitary systems.
8. Every plan shall have at least four survey-quality (centimeter, or its English equivalent, accuracy) points on each sheet tied into the Massachusetts State Plane Coordinate System (NAD 1983 datum), using said published control points or the global positioning system. The plan must note the metric

coordinates of the four tie-in points, the datum, and the source and location of monuments used for data.

9. All plans must be accompanied by a 3 1/2" computer disk or CD-Rom containing DXF or Shape files including all property lines, buildings and geographic features shown on the plans, and with all features stored in the Massachusetts State Plane Coordinate System (NAD83 datum) and a multi-page TIFF or DjVu electronic copy of all plans and documents.

Elevations to be City datum.

8:07 Street Acceptance Plans

The developer shall submit to the Planning Board the following:

1. A petition to the Northampton City Council requesting that a particular street be accepted as a "City Street". Each street shall have its own petition and each petition shall be signed by at least six (6) residents of the City of Northampton
2. A title search showing that the property is free of all liens and encumbrances.
3. Plans and documents which shall include the following:
 1. Two sets of originals and three sets of prints
 2. Plan(s) to be prepared by a registered land surveyor
 3. Size 24" x 36"
 4. Rules of Registry of Deeds to be followed (borders, size lettering, scale, reserved boxes, etc.)
 5. Only one proposed street to be shown per sheet
 6. Match lines to be used if a street is to be shown on more than one sheet
 7. Title block to be: THE COMMONWEALTH OF MASSACHUSETTS STREET ACCEPTANCE
PLAN OF _____ PREPARED FOR THE CITY OF NORTHAMPTON HAMPSHIRE COUNTY
 8. Scale 1" = 40'
 9. Date plan was prepared
 10. Reserves spaces for:
 - a. City Clerk's endorsements: (Name of Street) accepted by vote of City of Northampton Council; passed (date), attest: _____, City Clerk
 - b. Statement that: (Name of Street) is part of the (name) Subdivision approved by the Northampton Planning Board, filed with the City Clerk, (date) and recorded at the Hampshire County Registry of Deeds (book and page)
 - c. Planning Board's endorsement that "Approved is not Required"
 - d. Signature of DPW Director: (Signature), DPW Director
11. Street line to be shown in metes and bounds. Tie courses so that street can be mathematically closed. Chord bearings and distances for all curves to be shown.
12. Street to be tied to Massachusetts State Plane coordinate system. Every plan shall have at least four survey-quality (centimeter, or its English equivalent, accuracy) points on each sheet tied into the Massachusetts State Plane Coordinate System (NAD 1983 datum), using said published control points or the global positioning system. The plan shall note the metric coordinates of the four tie-in points, the datum, and the source and location of monuments used for data.
13. All street line monuments to be shown and identified and its exact metric coordinates shown, in accordance with the requirements in the above paragraph.
14. At least 100' of lot property lines shown with metes and bounds.
15. Ownership of lots (including Registry Book and Page) at the time subdivision was approved by Planning Board
16. Land court case numbers, whenever appropriate, must appear on plans
17. Full legal document (including complete descriptions) suitable for recording at the Registry of Deeds, deeding each proposed street to the City\
18. Necessary prints, forms and fee for Approval Not Required endorsement.
19. All plans must be accompanied by a 3 1/2" computer disk or CD-Rom containing DXF or Shape files including all property lines, buildings and geographic features shown on the plans, and with all features stored in the Massachusetts State Plane Coordinate System (NAD83 datum) and a multi-page TIFF or DjVu electronic copy of all plans and documents.

APPENDIX A FORMS

Attached are samples of the forms used for the administration of these regulations. The administrative content of these forms by be revised from time to time by administrative action of the Planning Board. Copies of these forms are available in the Office of Planning and Development. Changes to the forms are filed with the City Clerk.

ENDORSEMENT OF APPROVAL NOT REQUIRED (ANR) PLAN—Form A
File with the Office of Planning and Development, City of Northampton, Massachusetts

1. Deed recorded in Hampshire County Registry of Deeds or Land Court: Book_____Page_____.
2. Street Address: _____
3. Assessor's Map:_____ Lot(s):_____ Additional property description:_____
4. Number of newly created lots: _____
5. Check list of filing requirements (check the supplied items. Applications MUST have these items.)
 - ☐ Original, reproducible (mylar) Plan, with endorsed Seal of a Massachusetts Registered Professional Land Surveyor.
 - ☐ Six (6) prints of the Plan.
 - ☐ Original and Six (6) copies of the fully completed and endorsed ANR Application form.
 - ☐ \$150 per sheet fee plus \$50 for each newly created lot (payable to "City of Northampton").
 - ☐ If any portion of a plan falls within 500 feet of a published control point (see NorthamptonPlanning.org): four centimeter-accuracy points on each sheet tied into the Massachusetts State Plane Coordinate System (NAD 1983 datum), using said published control points or the global positioning system and noting the coordinates of the tie-in points, the datum, and the source and location of monuments used for data.
 - ☐ An electronic version of the plan in model space in DWG, DXF, or Shape format including:
 - o All property lines, buildings and geographic features shown on the plans.
 - o Closure of all property boundaries of one part in 20,000
 - ☐ Plans show all buildings owned by subject landowner(s) within 100' of any newly created property lines.
 - ☐ Plans include a statement that the Planning Board's endorsement is not a determination that the lots shown are buildable lots.

We believe and understand that:

- (1) The attached plan is not a division as defined in the Subdivision Control Law and we submit it for endorsement that Planning Board approval under this Law is not required; and
- (2) we have provided all the information required in the checklist above; and
- (3) The plans submitted are now in the public domain and may be copied freely in any form.

Applicant (print or type):_____ Signature:_____

Address:_____ Phone:_____

Owner (print or type):_____ Signature: _____

Address:_____ Phone:_____

Surveyor (print or type):_____ Signature:_____

Address:_____ Phone: _____

Allow 21 days for processing. It is the applicant's responsibility to pick up the original drawing and record it at the Registry of Deeds or Land Court within the time limits established by the Registry. All copies and forms remain with the City. Applicants may file one copy of this ANR form with the City Clerk to protect their appeal rights. (form dated 5/8/03)

Date Submitted: _____ Date Decision Filed: _____

City Clerk (signature):_____ City Clerk (signature):_____

APPLICATION FOR APPROVAL OF PRELIMINARY PLAN--Form B
File with the Office of Planning and Development, City of Northampton, Massachusetts

File sixteen completed forms and plans and file seven additional copies, showing wetlands, which may be 11" x 17" reduced scale plans, with the City Clerk and the Planning Board, in accordance with the requirements of Section 4:02. All plans must be folded and a copy of this application attached to each plan. All submittals must be accompanied with a disk showing the entire filing in DjVu or TIFF format.

To the Planning Board:

The undersigned herewith submits the accompanying Preliminary Plan of Property located in the City of Northampton for approval as allowed under the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land of the Planning Board in the City of Northampton. We further grant the Planning Board and its agents the right to enter our property for the purpose of evaluating this application.

1. Applicant _____ Signature _____
 Address _____ Phone _____
2. Owner _____ Signature _____
 Address _____ Phone _____
3. Engineer _____ Signature _____
 Address _____ Phone _____
4. Surveyor _____ Signature _____
5. Deed of property recorded in Hampshire County Registry or Land Court (circle one),
 Book _____ Page _____
6. Location and Description of Property:

of Commercial Lots: _____ # of Residential Lots: _____

7. Assessor's Map ID: _____ Lot(s): _____

Date submitted to Planning Board: _____ Date Decision Filed: _____

City Clerk: _____
(Signature)

City Clerk: _____
(Signature)

(form created 5/8/2003)

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN—Form C
File with the Office of Planning and Development, City of Northampton, Massachusetts

File sixteen completed forms and plans and file seven additional copies, showing wetlands, which may be 11" x 17" reduced scale plans, with the City Clerk and the Planning Board, in accordance with the requirements of Section 4:02. All plans must be folded and a copy of the application attached to each plan. All submittals must be accompanied with a disk showing the entire filing in DjVu or TIFF format. In addition, the entire filing must be submitted in CAD DWG, DXF or shape file exactly located geographically.

To the Planning Board:

The undersigned herewith submits the accompanying Definitive Plan of Property located in the City of Northampton for approval as allowed under the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land of the Planning Board in the City of Northampton. We further grant the Planning Board and its agents the right to enter our property for the purpose of evaluating this application.

1. Applicant _____ Signature _____
 Address _____ Phone _____
2. Owner _____ Signature _____
 Address _____ Phone _____
3. Engineer _____ Signature _____
 Address _____ Phone _____
4. Surveyor _____ Signature _____
5. Deed of property recorded in Hampshire County Registry or Land Court (circle one),
 Book _____ Page _____
6. Location and Description of Property:
 # of Commercial Lots: _____ # of Residential Lots: _____
7. Assessor's Map ID: _____ Lot(s): _____

The following are all the mortgages and other liens or encumbrances on the whole or any part of the above described property:

The undersigned hereby covenants and agrees with the City of Northampton upon approval of the Definitive Plan:

1. To construct the ways and install the municipal services as finally approved by the Planning Board.
2. To design and construct the ways and design and install the municipal services in accordance with the Rules and Regulations Governing the Subdivision of Land, City of Northampton, Massachusetts, with the rules and instruction of City Board of Health, appropriate department heads, and with the Definitive Plan and its accompanying material as finally approved by the Planning Board.
3. At the laying out and acceptance of said ways all municipal services within the ways will become the

property of the City of Northampton at no cost to said City, unless otherwise agreed upon.

This agreement shall be binding upon the heirs, executors, administrators, successors, and assigns of the undersigned.

Owner of Record _____
Print or type name Signature

Address Phone

Before me appeared _____, Owner of Record, and made oath that the above statements subscribed to be him/her are true.

Notary Public: _____

Commission Expires: _____

Date of Submission: _____

City Clerk: _____
(signature)

(form created 5/8/03)

Create checklist of all design and submittal requirements and include with filing.

NOTICE OF SUBDIVISION APPROVAL OR DISAPPROVAL-Form F
File with the Office of Planning and Development, City of Northampton, Massachusetts

To: City Clerk

The Planning Board on _____ by _____ vote
date

DISAPPROVED/APPROVED (cross out one) the following subdivision plan:

Name or description _____

New street names _____

Submitted by _____

Address _____

On _____ pending termination of the statutory twenty day appeal period.
Date

Signed _____
Chair, Northampton Planning Board

This vote of the Planning Board is duly recorded in the minutes of their meeting.

c.c.	Applicant	Police Department
	Building Inspector	Board of Assessors
	Board of Public Works	Register of Voters
	Fire Department	Planning and Development File
	Board of Health	Conservation Commission

After twenty (20) days without notice of appeal, revised plans showing all Planning Board conditions shall be submitted to the Planning Board for final endorsement. The applicant shall then transmit copies of the signed plans to: Planning and Development, Register of Voters, DPW Director (paper and mylar copy), Police Department, Assessors, Fire Department, and Building Inspector. (form created 5/8/2003)

REQUEST FOR RELEASE OF LETTER OF CREDIT, THREE-PARTY LENDER
AGREEMENT, BOND, SURETY OR COVENANT—Form G
File with the Office of Planning and Development, City of Northampton, Massachusetts

To: Board of Public Works

From: Northampton Planning Board

Subject: _____
(description and name, if any)

Address: _____

The improvements specified in the Planning Board Rules and Regulations are believed to have been completed on the below described subdivision. Please indicate your approval or disapproval of release of bonds, surety or conditions insofar as the requirements of your department only are concerned. If release of conditions is indicated, specify for which lot(s) you approve release.

Signed: _____
Chair, Northampton Planning Board

_____ (do not detach) _____

To: Planning Board

Date: _____

Subject: _____
(description and name, if any)

Insofar as the requirements of this department are concerned, the release of bonds, surety or conditions for the above described subdivision is:

APPROVED DISAPPROVED (cross out one)

If disapproved, state reason: _____

Department _____

Signed _____

(Form created 5/8/2003)

COVENANT—Form I

File with the Office of Planning and Development, City of Northampton, Massachusetts

The undersigned _____ of
Print or type name(s)

_____, _____,
No. and Street City State

hereinafter called the "Covenantor", having submitted to the Northampton Planning Board the Definitive Plan of a subdivision,

Name of subdivision: _____ dated: _____

does hereby covenant to and agree with said Planning Board and the successors in office of said Board, pursuant to Mass. General Laws, Chapter 41, Section 81U, as amended, that:

1. The Covenantor is the owner of record of the premise shown on said plan;
2. This covenant shall run with the land on lot number _____ and be binding upon the executors, administrators, heirs, assigns of the covenantor, and their successors in title to the premises shown on said plan.
3. The construction of ways and the installation of municipal services shall be provided to serve any lot in accordance with the applicable Rules and Regulations of said Planning Board before such lot may be built upon or conveyed, other than by mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of the mortgaged premises or part thereof may sell any such lot, subject only to that portion of this Covenant which provides that not lot so sold shall be built upon until such ways and services have been provided to serve such lot;
4. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board without first providing such ways and services;
5. This covenant shall take effect upon the approval of said plan;
6. Reference to this covenant shall be entered upon said plan and this covenant shall be recorded when said plan is recorded.

The undersigned _____ (wife, husband) of the covenantor hereby agrees that such interest as (I, we) may have in said premises shall be subject to the provisions of this covenant and insofar as is necessary release all rights of tenancy by the courtesy, dower, homestead, and other interest therein:

EXECUTED as a sealed instrument this _____ day of _____, 200_____.

Witness Signature

Witness Signature

COMMONWEALTH OF MASSACHUSETTS

Hampshire, Massachusetts

Date _____

Then personally appeared _____ and acknowledged the foregoing instrument to be his/her free act and deed, before me.

Notary Public

My Commission Expires: _____

(Form created 5/8/2003)

RELEASE OF CONDITIONS or CERTIFICATE OF PERFORMANCE—Form J

Certification is herewith given that _____ has complied with the conditions imposed by the Planning Board of the City of Northampton under Rules and Regulations

Governing the Subdivision of Land on Lot No. _____, or Lots No. _____ as shown on plan entitled _____

_____ and recorded in Hampshire County Registry of Deeds Plan

Book _____, Page _____ .

By: _____
Chair, Northampton Planning Board

COMMONWEALTH OF MASSACHUSETTS

Hampshire, Massachusetts

Date _____

Then personally appeared _____, Chair, Northampton Planning Board, and acknowledged the foregoing to be his/her free act and deed before me.

Notary Public

My Commission Expires: _____

(Form created 5/8/2003)

